

the proposal

let's get merri'd

amazon + lower merrimack valley

OCTOBER 19, 2017

let's get merri'd

Amazon... we've known you for 23 years, and in that time, we've grown to love and respect you. Not just for your great products and services, but for what's inside you. Your spirit. Your vision. Your soul. You are the company we want to build our future with. You make us a better region...

And so begins our proposal of what is essentially a marriage.

Consider, you need a partner that will never stand in the way of your dreams but rather offer unconditional support in every endeavor. A partner that nurtures your culture and inspires your growing family. A partner that wants you as much as you want them.

We are, in many ways, that ideal partner.

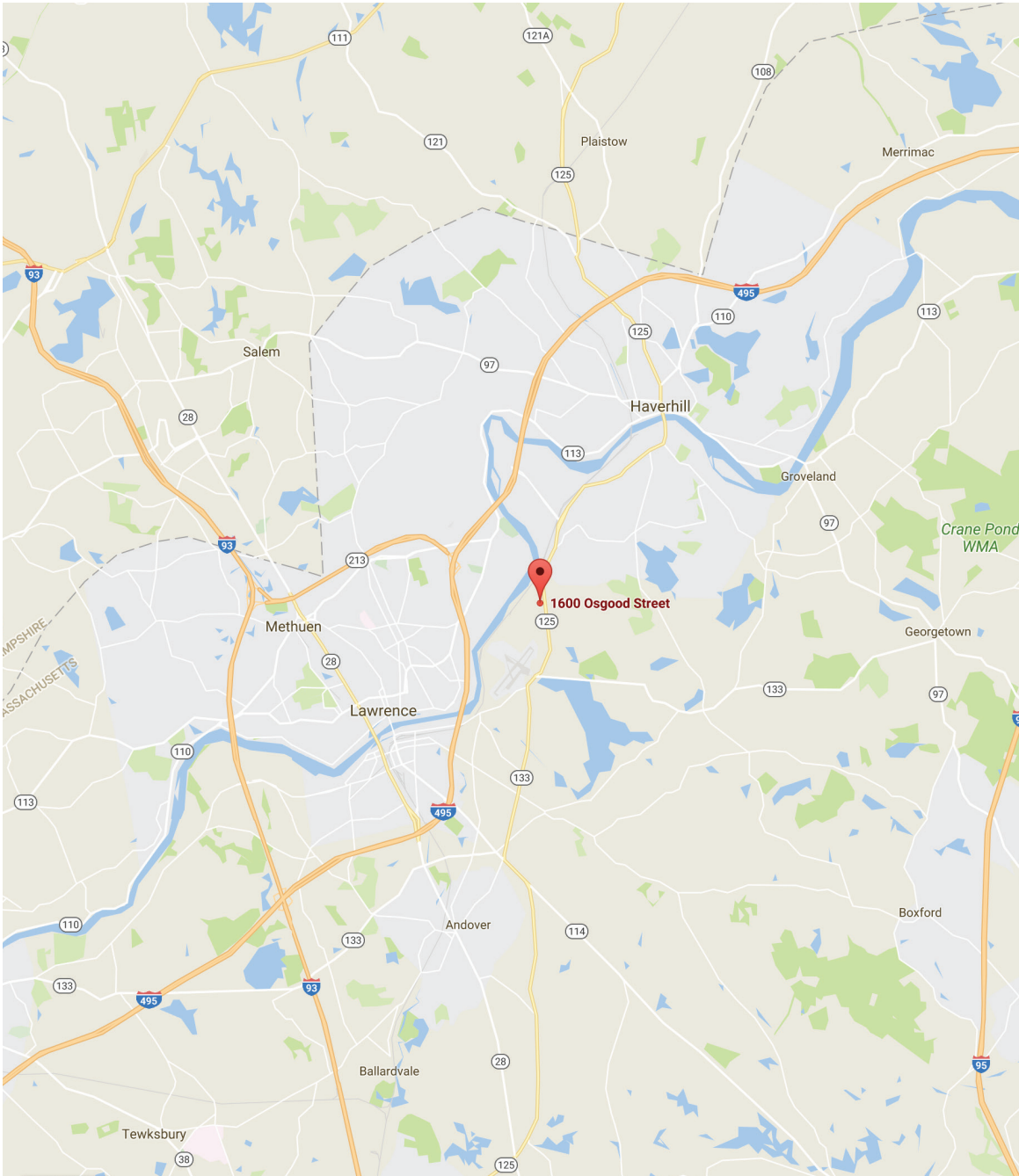
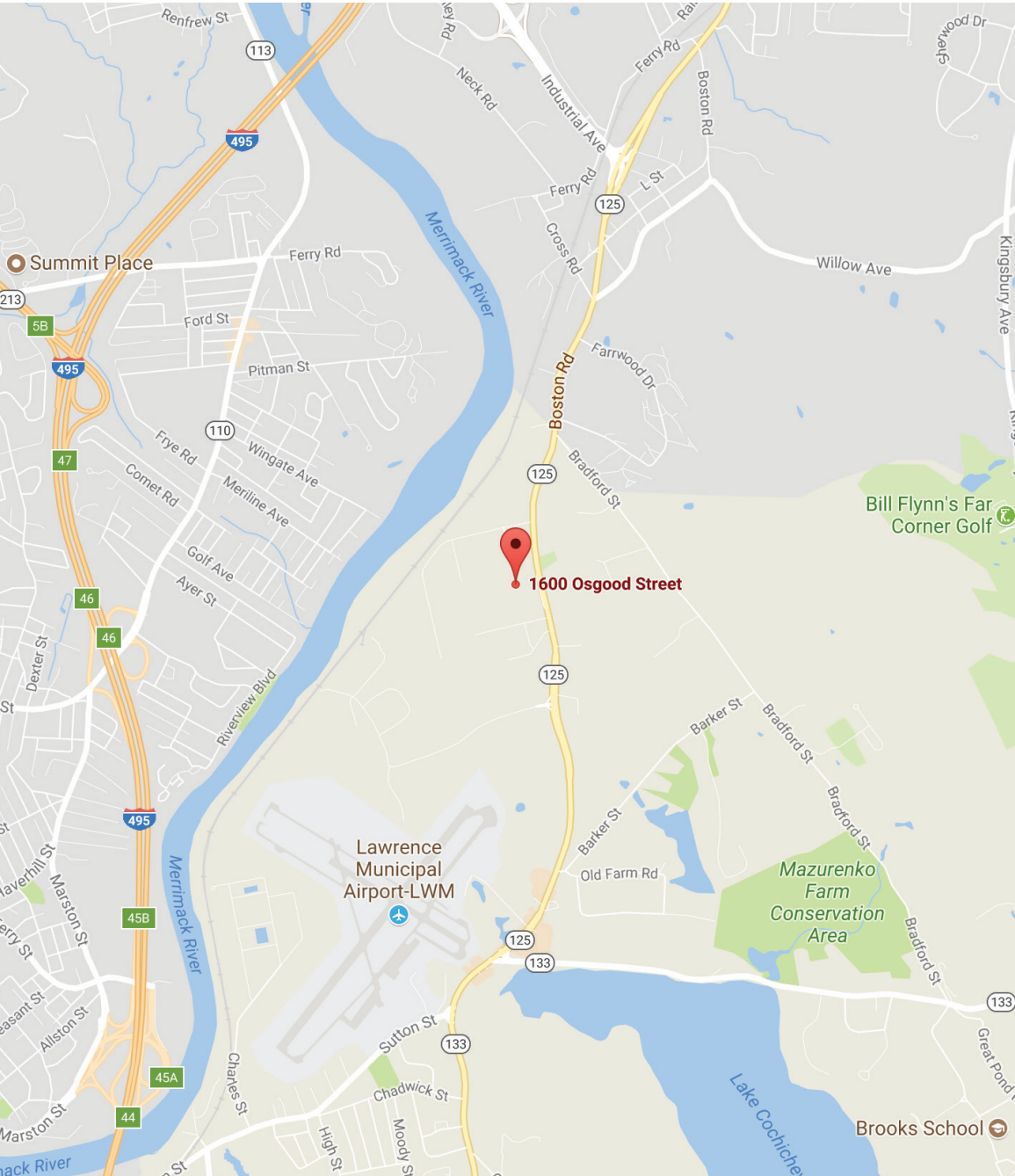
The Lower Merrimack Valley is a collaborative of communities in Essex County, Massachusetts, nestled along the Merrimack River just 30 minutes north of Boston. We offer the appeal of our big city neighbor, but with the quality of life and flexibility benefits of our five suburban towns and cities.

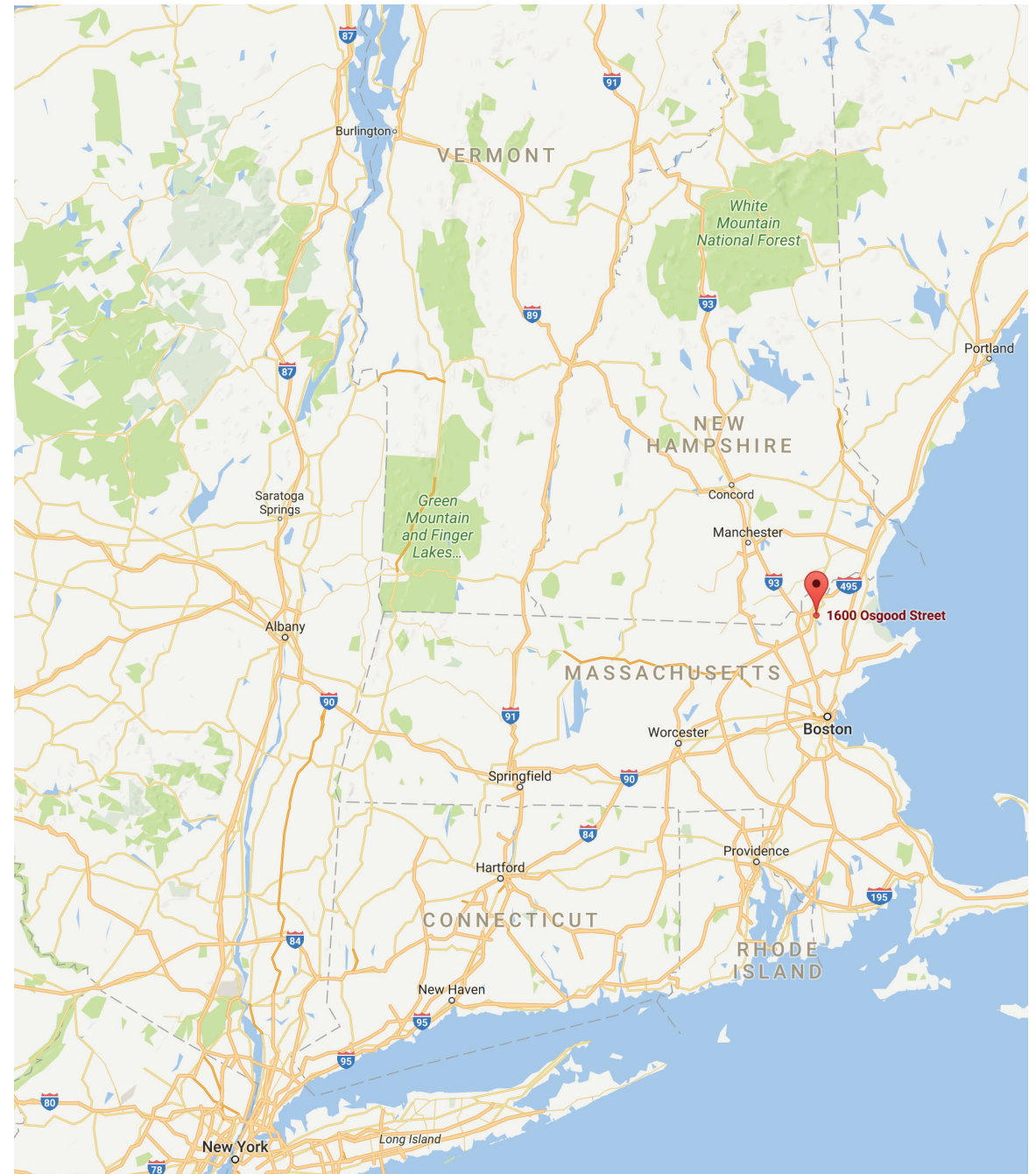
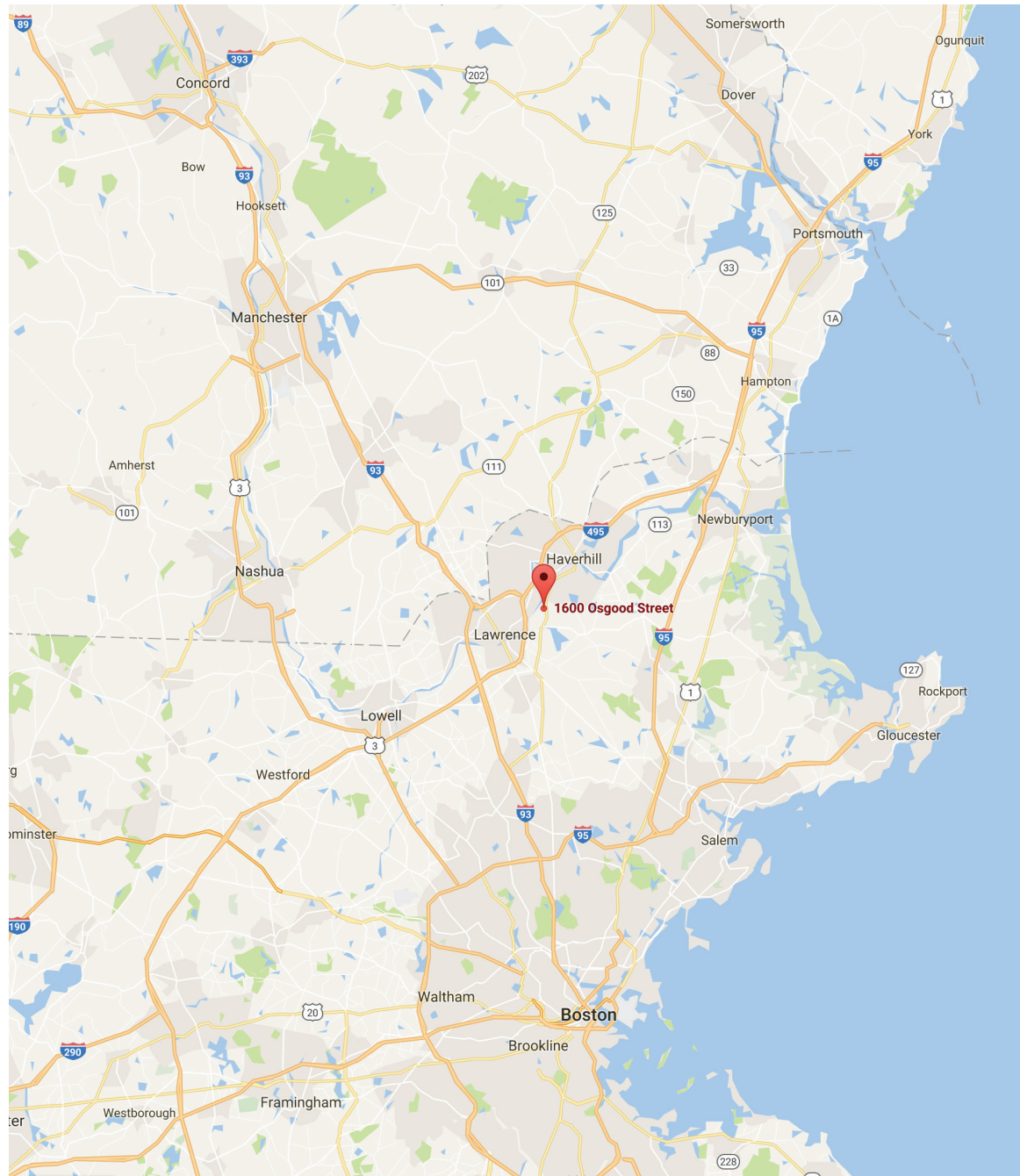
- Town of North Andover
- Town of Andover
- City of Haverhill
- City of Lawrence
- City of Methuen

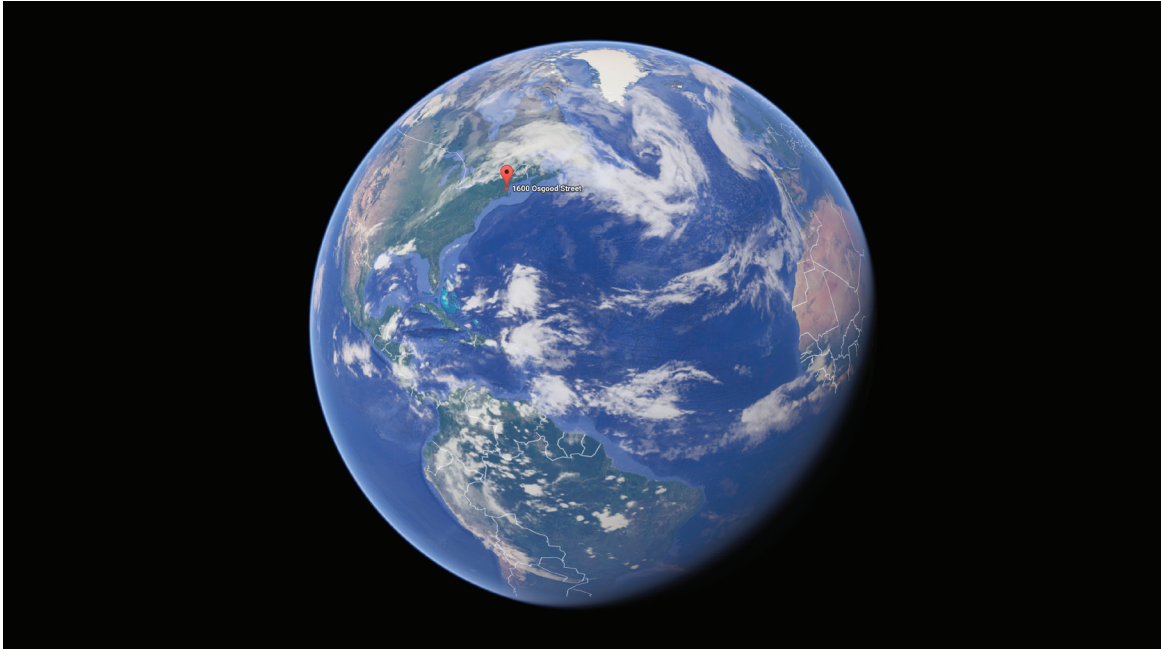
We understand that we're not the only one vying for your hand. And we're, perhaps, the last one you thought you'd get hitched to. But isn't that how some of the most beautiful relationships begin?



where our heart is...







distances

- To Boston 28 miles
- To nearest shoreline beach (Salisbury Beach) 21 miles
- To Cape Cod 98 miles
- To Providence, RI 78 miles
- To New Hampshire Line 7 miles
- To Manchester, NH 34 miles
- To New York City, NY 228 miles
- To the Moon 238,900 miles
(approx. the same as Seattle!)



Autumn along the Merrimack River

OUR VOWS...

Successful marriages are built on commitments made and commitments kept. We know the kind of commitment you’re going to make. So you deserve to know the commitments we are ready to make to you in return:

We promise...

A community that’s all on the same page. And all in!

Unlike some of your other potential suitors, there is unanimous buy-in here. And as a result, tremendous cooperation, even among different municipalities. Our leaders and residents are very excited at the prospect of Amazon becoming part of this community. **For more on that, please view the enclosed short video.**

An (almost) blank canvas of a site.

The proposed site for HQ2 is situated on 168 acres and is zoned for multi-use, ready for you to build virtually whatever you need.

Your own international airport.

Although Logan International and Manchester International airports are both within 45 minutes, there is a commuter airport with international capabilities within walking distance.

Additional 55 parcels (860 acres) should you want to expand beyond the main campus.

All can be zoned for commercial, retail and residential use. One is currently a golf course, but you may want to keep that. A full list of parcels can be found in the **Appendix**.

Your own water supply.

Once the on-site filtration system is upgraded, you can draw 2 million gallons of drinking water every day and never siphon off anything from the community... not a drop.

Total cell coverage from all major carriers.

See coverage maps in the **Appendix**.

Fiber optic cable equipped.

Verizon and Comcast, both local cable, broadband and internet phone providers have confirmed that Osgood Landing has the highest level of service available.

The following items represent commitments we've been working on to secure with state and local officials. There is considerable interest by all parties in delivering:

Your own Intermodal commuter station.

The "Amazon" stop with express rail and bus service between you and Boston.

Total renewable energy package.

We are working with local suppliers to divert enough renewable energy to support the entire facility, even after the Phase 4 build-out.

Your own electrical microgrid.

You won't be impacted by any local energy outages or brownouts and you won't interfere with the community's energy resources.

A dedicated shuttle bus and rail service.

It will link various points in the community with your main campus.

Direct access from your campus to I-495.

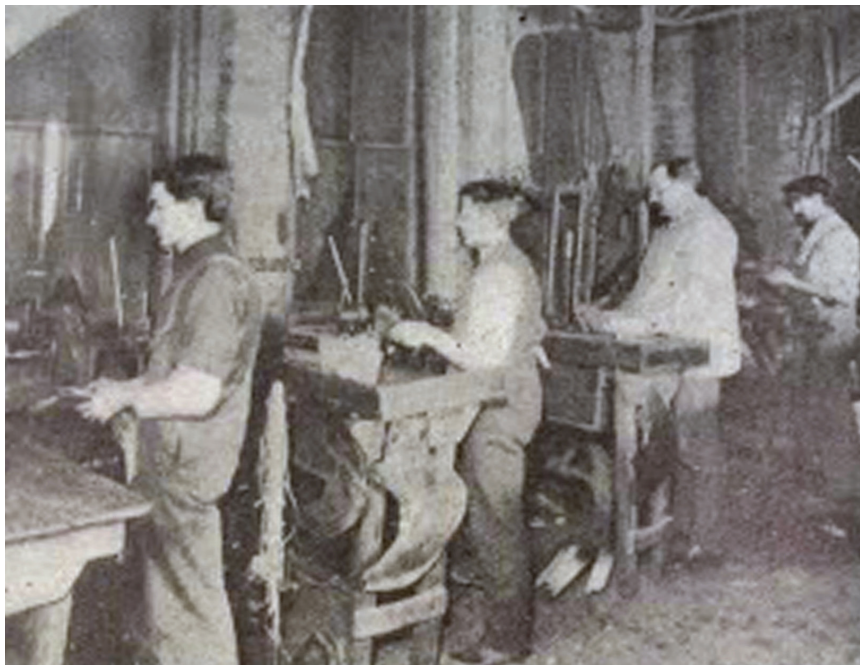
A major highway that leads to Boston and Cape Cod to the south, Portsmouth, NH and the Atlantic Ocean to the north and east. We're working on getting you your own exit.

You'll hear a lot of promises from different cities and regions. Ours are quite bold. But more than that, they're genuine and bankable. Our unique size and structure, coupled with the incredible cooperation of all necessary parties, means we can make a commitment to Amazon that few other regions would dare. But don't mistake us for a pushover. Yes, love can make you do crazy things, but our commitments are based on reciprocating the value of what Amazon brings to the union.

Marriages only work if the commitments are equitable on both sides.



Everett Mills, Lawrence



Haverhill shoe manufacturing

kindred spirits

Yes, opposites attract, and our differences make us whole. But the two sides in a successful relationship must have a commonality that goes much deeper than taste in movies or political views. Interests and attitudes must be aligned. Spirits must be kindred.

There is an undeniable similarity in our characters. We are both scrappy, innovative and transformative. You've built your culture that way. Ours developed over 150 years, more a matter of survival.

history

Beginning before the Civil War, the Merrimack River Valley was the jewel of the textile industry. Mills lined the river and our communities produced more garments than any other part of the country.

For the next 100 years, manufacturing expanded throughout the land. In the 1950s, the epicenter of textile manufacturing shifted south, closer to the wool and cotton. Our mills were forced to close and we were forced to find new tenants.

Mills make for great factories.

And so the Valley transformed itself into a manufacturing hub and the center of that growth was Osgood Landing in North Andover, a 1.8 million square foot facility on 168 acres. It was occupied by Western Electric, later renamed Lucent Technologies, and 12,000 employees manufactured and distributed the vast majority of telecommunications equipment for the largest communications company in the world at that time: American Telephone & Telegraph.

A world class manufacturing corridor.

The 1990's recession and a trend to manufacturing overseas saw a decline in this sector nationally. After Lucent was purchased and dissolved in 2008, we had a huge facility to fill and the mills along the Merrimack needed tenants.

It was time to transform ourselves once again.

This time it was technology. We built an extension of the Boston Technology Corridor, drawing on a wealth of engineering and computer science resources from Boston companies and the Route 128 Technology Corridor. We attracted and developed talent from some of the best, and in some cases THE best, colleges and universities in the country – MIT, Harvard, Boston College, Boston University, Tufts University and the entrepreneurial capital of education, Babson. All are right down the road.

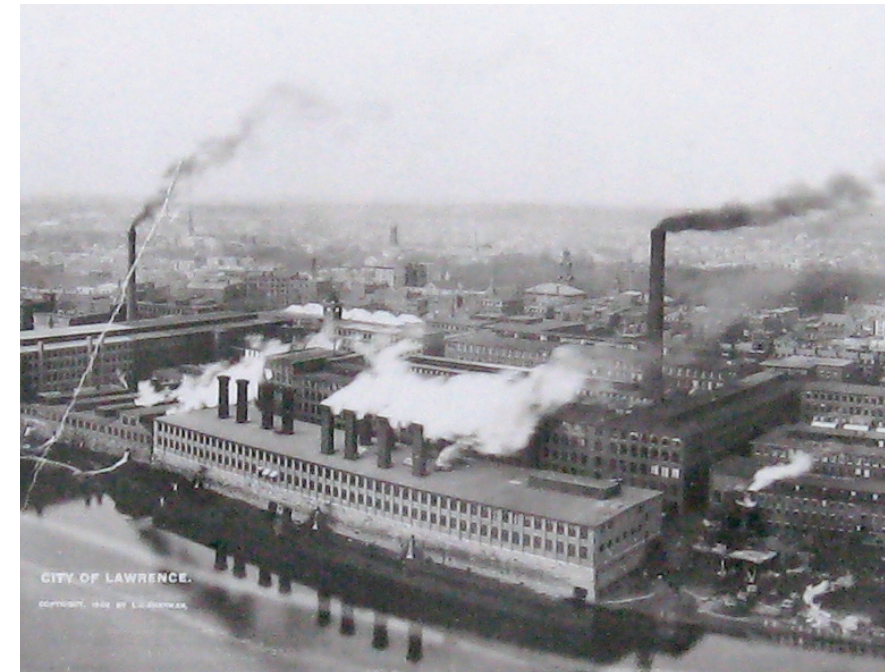
The Route 128 Technology Corridor in Massachusetts now extends to I-495 through the Lower Merrimack Valley. Right past your future site.

Extended family

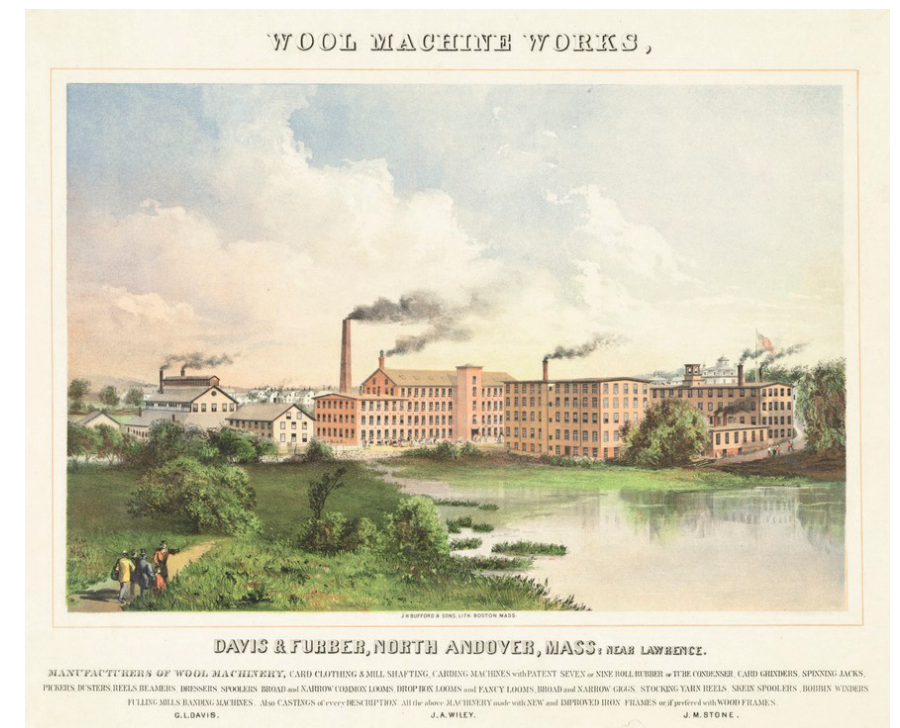
According to manta.com, there are over 170 technology focused companies in The Lower Merrimack Valley. A few of the bigger name employers in the area are companies that require highly skilled computer and engineering professionals.

Companies like:

- **Hewlett Packard**
- **Pfizer**
- **Raytheon**
- **Verizon Communications**
- **Vicor Computers**
- **3M**
- **Dynawave**
- **Microsoft**
- **New Balance**
- **Magellan Aerospace**
- **Cabot Corporation**
- **Phillips Corporation**



Mills along the Merrimack, Lawrence



The Davis Furber Company, a textile giant in North Andover



The factories and mills of Haverhill

timing

Why should you plant your flag right here, right now? The timing is right. In a sense, we've been waiting for you, preparing for this moment for the past several years.

After Lucent closed, the North Andover leadership and residents realized that a facility as large as Osgood Landing made a great home that precious few companies could adequately fill.

So we developed the Osgood Smart Growth Overlay District in 2007, which allowed for flexibility of use and fast track zoning adjustments to fit the specific needs of a large corporate tenant.

This time it's right.

Since 2007, there have been some significant development proposed for Osgood Landing, for various reasons, these potential projects didn't work out.

Perhaps this was a blessing in disguise. Because the site is better for HQ2 and therefore worth the wait. As a coalition of municipalities and interests, we are in a better position to make a commitment to you. In fact, the owners of the proposed site, Orit and Jeff Goldstein, were recently quoted as saying:

"It has always been our desire to see this landmark property return to the world-class campus it was designed to be. We look forward to supporting the coalition of Merrimack Valley cities and towns being spearheaded by North Andover town leadership to pursue this truly unique opportunity."

They are 100% on board.



Suburban and country living, North Andover



Osgood Landing, circa 2018



Rails to trails throughout the region.



North Andover Commuter Rail

make a happy home...

Whoever does the carrying over the threshold, we'll land in impressive surroundings. At 168 acres, it can easily satisfy all four phases of your build out.

amenities

Greenfield Space: The facility is on 168 acres with opportunities to develop as you wish.

Power: There is a 6 megawatt solar PV array, consisting of over 17,000 solar panels that produces 7,200 megawatt hours of electricity annually at the site. Wheelabrator operates an incinerator adjacent to the site that generates steam through the burning of 1,500 tons of waste from 20 surrounding municipalities. It powers a turbine that produces 35 megawatts per hour of energy. We are working with them to determine how that power can be diverted to Osgood Landing, including diverting the steam to help heat/cool the building to mitigate the costs of operation.

And if you need even more renewable energy, Enel Green Power operates the Lawrence Hydro plant on the Merrimack River. Like Wheelabrator, we are working with them to see if some of that renewable energy power can be diverted to Osgood Landing.

Water: There are wells and filtration systems on the property that, if upgraded, can produce clean drinking water for everyone in the family, all 50,000 of them.

Transportation: The zoning allows for a commuter rail station (projected as a need in 2008) and state officials are open to integrating express service from Boston direct to Osgood Landing into their current schedules.

Express commuter bus service from the site to Boston will become available and the Merrimack Valley Regional Transit Authority (MVRTA) have also begun planning for this service. The Merrimack Valley Regional Transit Authority (MVRTA) is also open to the prospect of establishing a separate shuttle bus operation specifically for Amazon employees.

let's run off together...

Actually, let's fly. It's faster. While being 45 minutes from two international airports (Logan in Boston and Manchester, NH) is enviable, there is actually an even more convenient option.

Less than half a mile from Osgood Landing is the entrance to Lawrence Municipal Airport (LMA). One runway is actually adjacent to the Osgood property. Currently, companies use this location to fly anywhere in the U.S. But they also use it to fly to London, Mexico, and Canada.

Airport management has Customs & Immigration officials on call. When the flight arrives, the C&I officials meet incoming passengers in the terminal and clear them for re-entry into the country.

No massive crowds at Logan or Manchester, and no heavy traffic getting back to the office or back home. Amazon executives can fly out of, and back into LMA, be cleared and literally walk back to the office (9 minute walk). Driving, however, (1-2 minutes) is clearly the best way to go.

With a 5,000-foot runway, the airport can accommodate aircraft as large as a Boeing 757.

Additionally, according to Boeing engineers, interested parties could actually fly in heavy equipment for the demolition/renovation of Osgood Landing on an L-100, which is the civilian equivalent of a C-130 Hercules cargo aircraft.



Lawrence Municipal Airport, adjacent to Osgood Landing



Boston Logan, just 45 minutes away by car. Minutes in one of those planes.



MIT is so close you can almost hear the clicking keys.



*Merrimack College, just a few miles away, is a leading private school in the region.
(That's the Boston skyline in distance.)*

feed the family...

The Boston MSA, which includes the Merrimack Valley, is a talent-rich area for you and all our neighborhood companies. The Route 128 Technology Corridor is already filled with some of the nation's leading technology executives and professionals. And nipping at their heels are 60,000 college graduates per year, from some of the most esteemed institutions in the nation.

- Over 50 colleges and universities throughout Boston, northern Massachusetts and southern New Hampshire.
- 18 colleges and universities that offer Bachelor Degrees and 3 community colleges that offer Associate Degrees in Software Engineering, including some of the best in the country (Harvard #1, Boston University #23, Boston College #26).
- MIT just created a new major within their school of engineering that combines economics with computer engineering to study how the marketplace of the future might be formed and operated. This was done to address the future needs of large technology oriented companies.
- Some of the best business schools ranked in the nation are nearby. (Harvard, MIT, Boston College, Boston University, Babson and Bentley).
- And some of the best law schools as well... Harvard is #3 and BU and BC are in the top 25.

That should keep Amazon well fed.

great place to raise our kids...

For the past 3 years CNBC's "Best States for Business" analysis has **ranked Massachusetts #1 for education**. And the schools in our towns have done their share to support that achievement.

- All students K-12 across the Lower Merrimack Valley have access to computers with all 2nd through 6th grade classrooms having at least 2 computers permanently installed.
- All schools are equipped with Wi-Fi.
- Elementary school students in most towns have started introductory level classes in coding.
- Some of the best private secondary schools in the country are right here in our neighborhood.

In addition, crime is relatively low and violent crime in particular is on the decline. See more on education and community safety in the **Questions & Answers** section.



The Brooks School in North Andover



Phillips Academy in Andover

Amazon-Merrimack

Amazon and The Lower Merrimack Valley are pleased to announce their engagement. Amazon is the child of Jeff Bezos of Medina, Washington and vision. Amazon began its career in bookselling before taking on more challenging roles in online retailing, web services, home automation, entertainment, business innovation, grocery technology and gluten-free, vegan snack foods. The Lower Merrimack Valley is the child of Yankee ingenuity and a resilient spirit. A double major in textiles and poetry, Merrimack worked extensively in manufacturing before transitioning to positions in technology and software engineering. A Spring 2018 wedding is planned.

for richer or poorer...

Wealthy suburbs. Working class towns. Growing cities. People who have been here for generations. First generation Americans starting new lives. Our region represents a tremendous diversity of culture, lifestyles and socio-economic characteristics.

As evidence, there are significant differences across the five towns in the presence of multi-unit housing, household income, average residential unit pricing and level of education. See the statistics in **Questions & Answers**. Meet the people in the enclosed video.



Avalon Housing Development

in sickness and in health...

The Boston area is ranked as the 7th healthiest location in the country by *USA Today* (Seattle is #6). And why not? Not only is it a region that encourages and supports healthy lifestyles, it's also one of the best places in the world to be sick.

Our five-town community has 3 hospitals and the immediate surrounding towns offer 8 more.

Boston is home to eleven hospitals and boasts some of the nation's best. According to recent *US News & World Report* rankings:

- Massachusetts General Hospital is ranked #4 overall in the U.S.
- Boston Children's Hospital is the #1 ranked children's hospital in the country.



Massachusetts General Hospital



Smolak Farms, North Andover



Friday Night Lights, co-ed youth flag football

in good times...

There will be bad times. It's part of life. But our region will do its best to keep them to an absolute minimum. There is no shortage of smile-inducing attractions and activities throughout our region and surrounding lands.

Boston, of course, is a world-class destination rich with culture, history and entertainment. But there's so much in our own backyard. Here's is just a sampling:

- **9,968 historic structures listed on the National Register of Historic Places**
- **400 historic farms**
- **86 museums**
- **26 major National Historic Landmarks,**
- **9 State Parks**
- **1 large National Wildlife Refuge.**

And some of the best vacation spots in the U.S. are so close they're day-trippable:

- **Cape Cod and the outer islands of Martha's Vineyard and Nantucket**
- **Portsmouth, NH and the Atlantic Ocean beaches**
- **The best eastern U.S. skiing in the mountains of Vermont and New Hampshire**
- **The beautiful rocky coast of Maine**
- **And endless list of lakes, rivers, forests and parks for camping, exploring, hiking, etc.**

It will be quite awhile before anyone runs out of anything new to do.

til death do us part...

Here, we can grow old together. And do it in comfort and style. With the relative youth of the Amazon workforce, it may be difficult to appreciate this, but our region is ranked among the best in the country for retirees. According to BankRate.com, our state, and two of our nearest neighbors top the list in most advantageous areas for retirement:

- **New Hampshire is #1**
- **Maine is #3**
- **Massachusetts is #7**

Live here. Work here. Play here. Retire here. It's all here.



Farmers markets abound.



Winnikenni Castle, Haverhill

save the date

A Spring 2018 Wedding is Planned

amazon + lower merrimack valley

OCTOBER 19, 2017

registry

the couple is registered at:

amazon.com[®]

(well, duh)

amazon + lower merrimack valley

OCTOBER 19, 2017

questions and answers

1. Please provide information regarding potential buildings/sites that meet the criteria described herein...

the primary site

The location chosen as the recommended primary site for Amazon's HQ2 is:

Osgood Landing
1600 Osgood Street
North Andover, MA

This location, which is 167.74 acres, is currently subdivided into 3 sub-districts:

- **Residential Mixed Use Zone (31.65 acres)**
- **Mixed Use Development Zone (10.15 acres)**
- **Business Opportunity Zone (125.94 acres)**

In 2007, the town of North Andover established the Osgood Smart Growth Overlay District, which provided tremendous flexibility of use parameters for all 3 sub-districts. The entire document is included in the **Appendix** section at the end of our proposal submission. All "As-Of-Right Uses," as well as all "Uses Allowed By Special Permit" for all 3 sub-districts are detailed.

However, the town realizes that Amazon will have a specific vision for this property, and the 168 acres stands ready to address your needs, concerns and requests for revisions and/or changes.

The town realizes that expediency is crucial in situations such as this as adapting the current configuration of 168 acres takes time. **We will quickly move to adapt the current zoning to accommodate any plan submitted by Amazon.**

Although the entire property is currently owned by Ozzy Properties, the town is positioned and ready to clear the site once a deal is consummated.

Residential Mixed Use Zone

Currently the primary use of this zone is for multi-family residential units (192) with a minimum of 20% being zoned as “affordable housing.”

The Mixed Use Development Zone

This parcel is zoned to allow business, professional and other offices with as-of-right uses such as:

- **Eating establishments**
- **Hotel/motel**
- **Outdoor recreation area**
- **Other uses such as banking, daycare and medical centers**

Uses allowed by Special Permit include additional multi-unit residential buildings.

Business Opportunity Zone

The primary use for this zone is commercial office space. Other uses by Special Permit include a commuter rail facility, recreational, entertainment and retail facilities.

It should be noted that discussion between the Town and State officials have started with the goals of expediting an on-site railway station. At site access to transportation is a requirement, and all parties are moving to make that happen quickly.

Additionally there are 17,000 movable solar panels currently on-site, generating 7,200 megawatt hours of electricity annually. All power right now is sold back to ISO New England, the utility that operates the regional electrical grid. That power will be available for Amazon should you wish to use that for your own power needs.

The Buildout

Currently there are 1.8 million square feet of structures on site. The 168 acres provide plenty of existing open space to accommodate the 500,000 Phase 1 square foot requirement. This will allow Amazon to plan future phases as it sees fit.

Transportation

The site is 1.8 miles from I-495, a major interstate highway that connects North Andover with Boston to the south and Portsmouth, NH and the Atlantic Ocean to the northeast.

Route 125, a 4-lane State highway, runs adjacent to the site and provides 2 options for entering and exiting the facility.

The site is currently served by public bus transportation.

As previously mentioned, discussions have begun to build a rail station on-site. Discussions to provide express train service to that new stop have begun as well.

Power/Utilities

Electrical power is drawn from a substation ¼ of a mile from the facility. However, there are 2 sources of renewable energy from outside the property that are currently being explored:

- **Wheelabrator operates an incinerator adjacent to the site that generates 30 megawatts of power per hour that is sold back to the grid.**
- **Enel Green Power operates the 14.3 megawatt Lawrence Hydro Plant on the Merrimack River, just upstream from the site.**



Osgood Landing, North Andover

Water

There are wells on site with a filtration system that would need to be upgraded to accommodate drinking water for a large number of employees. However, once work on that system is complete, Amazon could draw as much as 2 million gallons of water daily which would suffice for a total workforce of 50,000. This also means that the water supply for surrounding areas would not be impacted, even with the influx of a large number of employees to the area.

Air Travel

This location is equidistant (within 45 minutes) from Logan International Airport in Boston and Manchester International Airport in New Hampshire.

However, Lawrence Municipal Airport (LMA), which is adjacent to the Osgood Landing property, can handle small groups of international travelers as well. Currently, local businesses have leased corporate jet aircraft and flown throughout the continental US and internationally to London, Mexico and Canada. Upon return from international travel, customs and immigration officials meet travelers at the terminal and clear them to re-enter the country.

Proximity to Main City

The City of Boston is reachable in as little as 30 minutes by car and as little as an hour using public transportation (bus and rail).

Area Hotels

There are currently 9 hotels within 6 miles of the facility that have a total capacity of 1,231 rooms. That translates to 449,315 annual hotel nights (Monday-Sunday) or 320,060 “Business Nights” (Sunday-Thursday).

The hotels available are:

- **Holiday Inn** **123 rooms**
- **Andover Inn** **30 rooms**
- **Courtyard By Marriott** **146 rooms**
- **La Quinta Inn & Suites** **168 rooms**
- **Double Tree By Hilton** **293 rooms**
- **Sonesta ES** **133 rooms**
- **Residence Inn By Marriott** **120 rooms**
- **Spring Hill Suites By Marriott** **136 rooms**

Additional Sites

Recognizing that Amazon may want to expand beyond the main location...

Multiple additional sites are available for commercial, residential, retail or mixed-use development in the 5-town region of North Andover, Andover, Haverhill, Lawrence, and Methuen.

Many of these sites are currently zoned for mixed-use which includes restaurants and hotels thereby increasing the capacity for both those industries within close proximity to the potential main campus at Osgood Landing.

We detail those locations in the **Appendix** at the end of this document.

2. *Please provide a summary of total incentives offered for the Project by the state/province and local community...*

State Support

The Commonwealth has been in touch with our team and will submit a package, under separate cover, that will apply to all Massachusetts proposals.

Please see this document for detailed economic and related incentives.

Local Municipal Support

North Andover will dedicate a staff person to work full-time as a liaison between Amazon, the Lower Merrimack Valley, and the State on all land use, permitting and other development matters. North Andover is committed to working with Amazon and the Commonwealth to utilize any available local incentive programs to help accomplish the development of HQ2. The town will also pledge to apply for any additional incentives that are grant-based, and will do all it can to advocate on the merits of the application.

Some examples include:

- **District Improvement Financing (DIF)**
- **Tax Increment Financing (TIF)**
- **Infrastructure Investment Incentive Program (I-CUBED)**
- **MassWorks grants, Chapter 90's funds among others.**

For instance, through a TIF Agreement with Amazon, North Andover may grant the company an exemption on the portion of its real estate property tax that is related to the tax increment realized through Amazon's development of the site.

EXAMPLE: If the predevelopment tax of the Osgood Landing property is \$250,000 and the post-development tax is \$1,000,000, then some or all of the incremental increase (\$750,000) can be exempt yearly at negotiated percentages (e.g. 100% year one; 90% year 2; etc.) for a negotiated period no greater than 20 years.

In contrast, under a DIF the incremental increase (again \$750,000) is paid but North Andover can allocate all or a portion of this tax revenue to fund HQ2 redevelopment activities. Here, a large portion of Amazon's real estate tax directly offsets its development costs. [Note: In all other states, a DIF is referred to as TIF.]

TIF or DIF would be negotiated between Amazon and North Andover, some State review is required. Programs such as I-Cubed and MassWorks are State programs that require a local municipality to apply for them. So they really are in tandem with the State. Finally there is Chapter 90 money, which are funds allotted to North Andover annually from the State for roadway improvements. North Andover will determine how to spend that money.

Please note, the ability for Amazon to draw 2 million gallons of water daily should be considered as an incentive. The only cost to Amazon will be to upgrade, operate and maintain the water treatment facility. North Andover will not assess a water connection fee or water usage fee for HQ2.

With regard to the certainty, some of these incentives or programs will require approval from the residents of North Andover in addition to the State's review and/or approval mentioned above. With regard to claw back or recapture provisions that may be required, if any exist at all such are not part of a local requirement but rather some State requirement. It should be pointed out that while we have not seen the details, it is assumed that the proposal from the State will demonstrate its commitment to working with local authorities to provide any appropriate local incentive and or grant program. Also, local approval if in the hands of North Andover residents, would be at a Town Meeting as opposed to a general election, which allows for the merits of any proposed incentive to be fully articulated and appreciated by those residents in attendance. It is important to know that the current owners of Osgood Landing site were already provided an approved TIF for a comparatively (to HQ2) modest redevelopment plan and the site is an existing State-approved Economic Opportunity Area, which is something a TIF would require. This clearly demonstrates the willingness and ability of North Andover residents and the State to allow for a TIF or DIF to support HQ2 and, as such, a very high level of certainty should be assumed.

To reiterate, the local administration is fully committed to applying any available incentive or local resource as liberally as possible to help bring HQ2 to North Andover.

All decisions required by the Town of North Andover, as it relates to the main location at 1600 Osgood Street, will be done expeditiously.

North Andover will commit to calling any required town meetings as may be necessary.

Timing of decisions made by the State will be articulated in the State proposal.

However, North Andover will partner with Amazon to expedite the State's approval process.

3. *If any of the programs or incentives described in the summary of total incentives are uncertain or not guaranteed, please explain the factors that contribute to such uncertainty and estimate the approximate level of certainty...*

4. *Provide a timetable for incentive approvals at the state/province and local levels, including any legislative approvals that may be required...*

5. *Provide labor and wage rate information in the general job categories described. Please provide relevant labor pool information and your ability to attract talent regionally...*

Most of the region, including North Andover, is part of the Lawrence-Methuen Town-Salem, MA-NH NECTA Division. The following information is from the U.S. Department of Labor's Bureau of Labor Statistics; specifically the May 2016 Metropolitan and Nonmetropolitan Area Occupational Employment and Wage Estimates.

Management Occupations \$115,670

- Chief Executives \$201,690
- General and Operations Managers \$123,260
- Marketing Managers \$130,800
- Sales Managers \$159,350
- Public Relations and Fundraising Managers \$111,090
- Administrative Services Managers \$95,010
- Computer and Information Systems Managers \$135,480
- Financial Managers \$109,330
- Purchasing Managers \$125,670
- Transportation, Storage, and Distribution Managers \$87,450
- Human Resources Managers \$102,460

Business and Financial Operations Occupations \$70,900

- Purchasing Agents, Except Wholesale, Retail, and Farm Products \$65,810
- Compliance Officers \$66,930
- Human Resources Specialists \$54,330
- Training and Development Specialists \$63,150
- Market Research Analysts and Marketing Specialists \$59,350
- Business Operations Specialists, All Other \$69,730



Technology occupations

- Accountants and Auditors \$77,120
- Financial Analysts \$83,150

Computer and Mathematical Occupations \$90,180

- Computer Systems Analysts \$81,550
- Information Security Analysts \$86,300
- Computer Programmers \$96,590
- Software Developers, Applications \$110,530
- Software Developers, Systems Software \$104,580
- Web Developers \$54,910
- Network and Computer Systems Administrators \$74,320
- Computer Network Architects \$100,480
- Computer User Support Specialists \$64,730
- Computer Network Support Specialists \$67,860
- Computer Occupations, All Other \$120,610
- Operations Research Analysts \$54,120

Legal Occupations \$70,360

- Lawyers \$94,880
- Paralegals and Legal Assistants \$44,450

Office and Administrative Support Occupations \$38,780

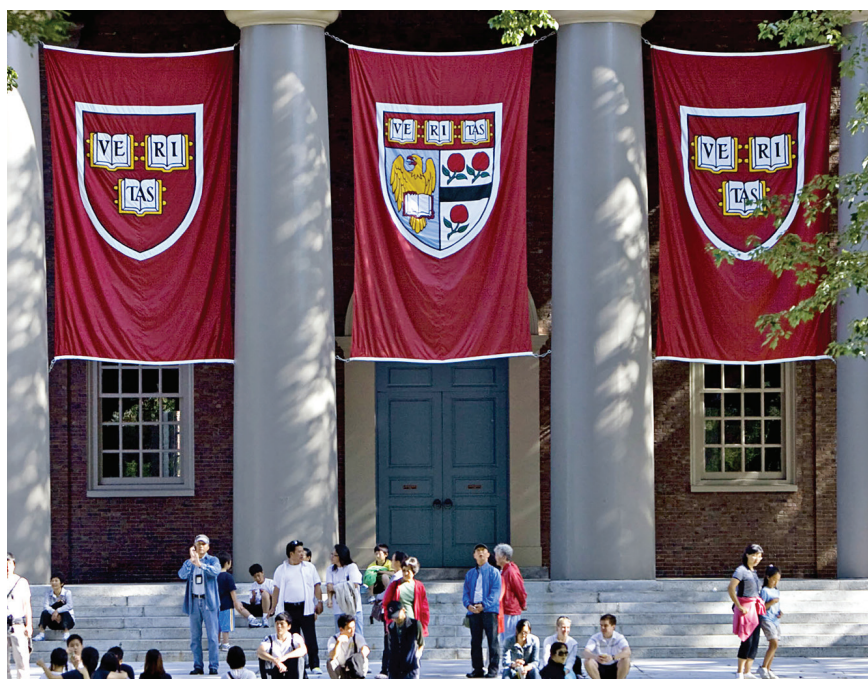
- First-Line Supervisors of Office and Administrative Support Workers \$60,860
- Bookkeeping, Accounting, and Auditing Clerks \$44,440
- Payroll and Timekeeping Clerks \$47,270



Hard at work in the mills



MIT: 35 miles, 39 minutes by car



Harvard University: 40 miles, 47 minutes by car

- Customer Service Representatives \$37,940
- File Clerks \$27,320
- Human Resources Assistants, Except Payroll and Timekeeping \$42,680
- Receptionists and Information Clerks \$29,680
- Executive Secretaries and Executive Administrative Assistants \$54,170
- Legal Secretaries \$40,860
- Secretaries and Administrative Assistants, Except Legal, Medical, and Executive \$39,180
- Office and Administrative Support Workers, All Other \$28,680

Boston Talent

Boston's world-class higher education system represents a tremendous opportunity to provide the right kind of talent on a continuous basis.

The Boston MSA, which includes the Lower Merrimack Valley, is home to over 50 colleges and universities with a total undergraduate population of almost 250,000 students, providing approximately 30,000 to 40,000 graduates per year. We are situated geographically in a way that allows us to draw talent from all of New England's top colleges and universities.

The talent infrastructure in this region – from top employees already working in Boston and along the Route 128 Corridor to exceptional graduates in dozens of world class institutions minutes away – represents a feeder system that can keep Amazon satiated for the foreseeable future.

Law School Graduates

The Boston area is home to premier law schools, including Harvard, Boston College and Boston University.

MBA Students

Harvard, Boston University and Boston College are in the Top 25 in the nation for their MBA programs.



Boston College: 44 miles, 50 minutes by car



Boston University: 33 miles, 40 minutes by car

Software Engineers

There are 18 colleges, including some of the best engineering schools in the country, that have bachelor degree programs and 3 community colleges that offer associate degrees specifically in software engineering.

- Assumption College
- Boston College
- Boston University
- Brandeis University
- Bridgewater State University
- Bunker Hill Community College
- Clark University
- Eastern Nazarene College
- Endicott College
- Gordon College Wenham
- Harvard University
- Lasell College
- Massachusetts Bay Community College
- Massachusetts Institute of Technology
- North Shore Community College
- Stonehill College
- Suffolk University
- Tufts University
- University of Massachusetts Boston
- University of Massachusetts Lowell
- Wentworth Institute of Technology

6. *Programs/partnerships currently available and potential creative programs with higher education institutions in the region. Universities and community colleges with relevant degrees. Information on your local/regional K-12 education programs related to computer science...*



Merrimack College: 4.7 miles away, ready and willing to build a bridge to Amazon

Partnerships

Nearby Northern Essex Community College and Merrimack College have numerous partnering programs with local businesses, training students specifically for their industries. Merrimack College offers robust engineering and business programs just a few miles from the proposed site. School officials have wholeheartedly offered full cooperation with Amazon to design and implement any programs that would successfully prepare students for specific careers with Amazon.

In fact, the town and Merrimack College are working on a plan for the parcel of land adjacent to Merrimack College that could be made available for development, either for Amazon HQ2 operations or for a joint educational program between the company and the college.

MIT + Amazon

In a move to upgrade its offerings, MIT (#1 in the country in engineering), has started a new program that combines computer science, economics and data science.

This new major aims to prepare students to ***“think at the nexus of computer science and economics, so they can understand and design the kinds of systems that are coming to define modern life. Think Amazon, Uber, eBay, etc.”*** (MIT News, 9/4/17)

MIT has created this program with you in mind. They are 30 miles from North Andover and are sure to love your input. A mutually beneficial program seems like a natural fit.

Area Colleges with Relevant Degrees: Software Engineering Degrees

- Assumption College
- Boston College
- Boston University
- Brandeis University
- Bridgewater State University
- Bunker Hill Community College
- Clark University

- Eastern Nazarene College
- Endicott College
- Gordon College Wenham
- Harvard University
- Lasell College
- Massachusetts Bay Community College
- Massachusetts Institute of Technology
- North Shore Community College
- Stonehill College
- Suffolk University
- Tufts University
- University of Massachusetts Boston
- University of Massachusetts Lowell
- Wentworth Institute of Technology

Area Colleges with Relevant Degrees: Law Schools

- Boston College Law School
- Boston University Law School
- Harvard Law School
- Massachusetts School of Law in Andover
- New England School of Law
- Northeastern University School of Law
- Suffolk University School of Law

K-12 Computer Science Programs

Throughout the region, all students in 2nd through 12th grades have access to computers in their classrooms. Elementary school students in most towns have started introductory level classes in coding. For example in North Andover, K-5 students have started “Keyboard without Tears” classes and K-8 students have had access to code classes since 2014. Many of the local high schools also have after school robotics clubs, integrating computer science and engineering. All schools offer Wi-Fi connections.

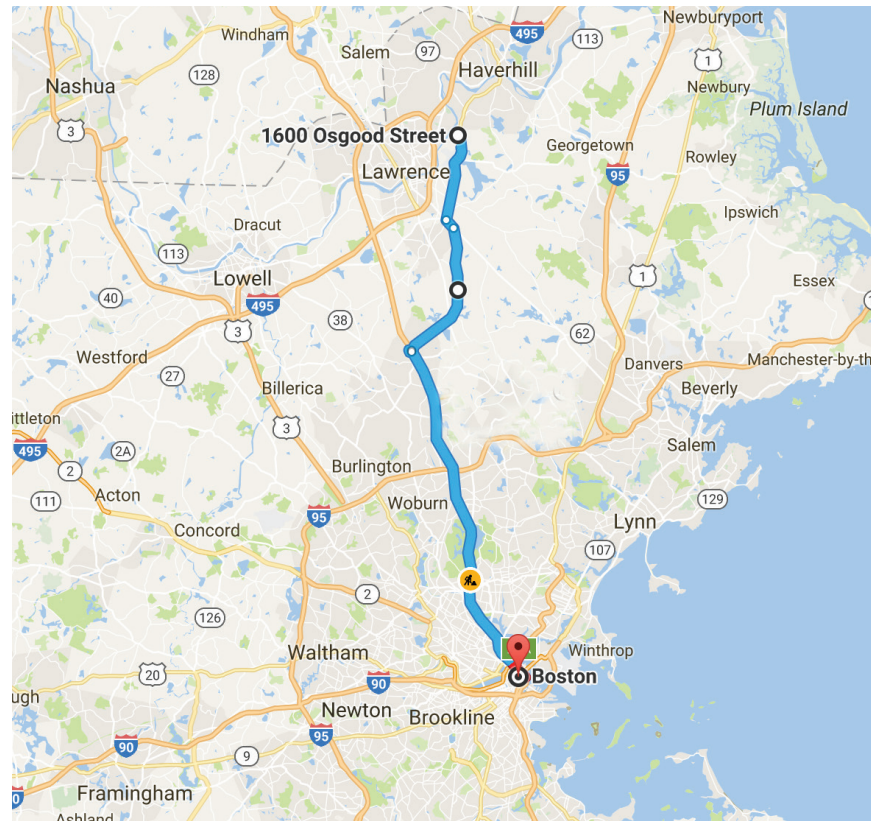
Haverhill Public Schools are executing their 2016-2019 Technology Plan, supplying Mac computers and Chromebooks to middle and high school students.

Overall, this district is very tech savvy. All K-5 students are set up with a Google drive account, creating a district-wide ability for educators to collaborate with students, staff and parents. Additionally in 2012, Haverhill High School introduced “iSchool,” an on-site training and resource center for Haverhill School District’s technology integration. In “iSchool,” students can attend group workshops or personalized training sessions on any and all of their District-provided technology resources, including the Google Suite of online productivity tools, media-rich projects on Macbooks and iPads and other daily systems (student information system, webmail productivity, evaluation tools, etc.).



Haverhill's iSchool

7. *Please provide highway, airport, and related travel and logistics information for all proposed sites...*



Interstate 495: from your front door to just about anywhere you want to go.

Vehicular Traffic

The main interstates traveling through the region are I-495, I-93 and I-95 that connect our area with Boston to the south and Portsmouth, NH and the Atlantic Ocean to the north and east.

Route 125 is a 4 lane State highway that runs from I-495 along the eastern edge of Osgood Landing (2 entrances/exits to/from the property).

Airports

The Lower Merrimack Valley is 45 minutes from Logan International Airport in Boston and Manchester International Airport in New Hampshire.

Lawrence Municipal Airport is ¼ mile from and adjacent to Osgood Landing. Although considered a general aviation airport, it can and has offered commercial service, including international arrivals, with Customs & Immigration officials clearing passengers arriving on flights from locations such as London, Mexico and Canada.

Walking/Biking

The land on which Osgood Landing is situated is partially zoned for residential unit construction. Currently, it is configured for multi-unit dwellings and its proximity to the proposed HQ2 building allows for walking or biking to the site.

Osgood Landing and the sites near it run along a state highway (Route 125). The Town is working with MassDOT to implement infrastructure improvements consistent with the MassDOT's Healthy Transportation Initiative that includes what is called a Complete Streets approach. This approach focuses on promoting healthy transportation alternatives through roadway, crosswalks, signalization, sidewalks, and other improvements to better pedestrian and bicycle access and travel throughout the corridor connecting nearby residential and commercial areas.

Local & Commuter Bus Transportation

Local buses currently stop at Osgood Landing. North Andover’s existing express bus service to and from Boston can be located at Osgood Landing at anytime. The Merrimack Valley Regional Transit Authority (MVRTA) is committed to establishing the necessary services to maximize the commuting capacity to and from Osgood Landing.

Commuter Rail

MBTA serves the region with daily commuter trains to and from Boston and surrounding areas. MBTA’s Haverhill line runs along the perimeter of the Osgood Landing property. The current zoning of Osgood Landing allows for a commuter rail stop to be built off this line. The Town and State are poised to construct that station in step with a development such as HQ2.

Measuring Traffic Congestion

Data is not available for this region as most traffic congestion analyses measure cities much larger than those in the Lower Merrimack Valley.



Haverhill commuter rail station



The region’s robust airport system

8. Information on your community with respect to daily living, recreational opportunities, diversity of housing options, availability of housing near potential sites for HQ2, and pricing...

Daily Living & Recreation

Residents of and visitors to The Lower Merrimack Valley enjoy a tremendous variety of outdoor activities, cultural and historic attractions, social gatherings, public events, parks and recreational opportunities. Visit Trip Advisor or the Greater Merrimack Valley tourism website to explore in pixels to your heart’s content.

Locally there are:


- Hundreds of miles of walking/hiking trails (70 miles alone in North Andover).
- Over 50 parks and greenfield locations.
- Veterans services.
- Senior services.
- All youth sports.
- 100+ festivals, parades and events.

Here are a few of the region’s more obscure offerings, just for fun:

- Regulation public pickleball courts.
- Saturday Night Lights Co-ed Kids Flag Football.
- You just missed the Methuen Fishing Derby (October 2nd).
- Hillies over the Hill softball for “more mature” women.
- Dog photos with Santa.
- The Annual Sheep Shearing Festival.



THIS is pickleball!




Greater Merrimack Valley

adventures await

MASSACHUSETTS

Contact Us | Font Size A A A



WHAT TO DO

WHERE TO EAT

WHERE TO STAY

EVENT CALENDAR

AREAS OF INTEREST

DEALS AND PACKAGES

GROUPS, MEETINGS, SPORTS

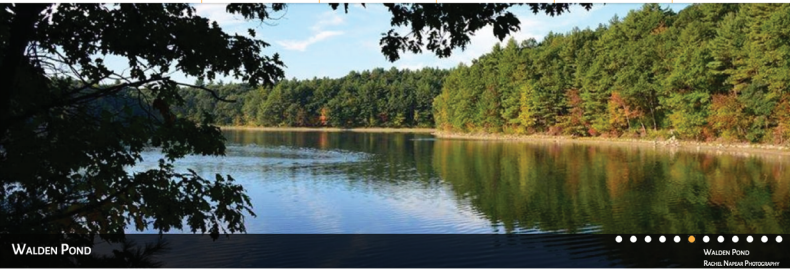
WEDDINGS & SPECIAL EVENTS

TRAVEL INFO

CONTACT US

NEWS & MEDIA

PLAN YOUR FILM



WALDEN POND

Walden Pond
Recess Nexus Photography

Just a half-hour drive to the north and west of Boston lies the Greater Merrimack Valley. No matter what the season, the Greater Merrimack Valley has a beauty all its own. The changing seasons add to the vibrancy of the region and with these changes come unmistakable attractions – skiing, biking, fishing, canoeing, white water rafting, strawberry picking, hayrides and concerts under the stars. There is an undeniable spirit in the Greater Merrimack Valley – the same spirit that gave birth to our country.

Each of our 21 towns and cities has its unique charm. That's why your getaway in the Valley can be made to order – whether you're looking for comfortable and cozy, vibrant and active or fun and educational.

OCTOBER

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Adventures Await: check out merrimackvalley.org

Diversity of Housing

Half of the The Lower Merrimack Valley is comprised of single family homes (50.8%). However, there are distinct differences when we look at our 5 town separately:

- **Andover Methuen and North Andover are primarily single family homes (73.4%, 66.1% and 65.1% respectively)**
- **Haverhill has a slightly lower concentration of single units (52.3%) but a higher concentration of 2-4 residential unit homes (25.9% vs. 11% for the 3 just mentioned).**
- **Lawrence is almost half 2-4 multi-residential units (49.7%) and lower single units (23.4%).**
- **All towns have a significant concentration of 5+ residential unit dwellings ranging from 18.7% (Haverhill) to 26.9% (Lawrence).**

Housing Near HQ2

Currently, Osgood Landing has a significant parcel (31.65 acres) set aside for Residential Mixed Use with the intent of constructing multi-unit dwellings as well support services. That parcel could be increased if needed.

Additionally, there are approximately 94 acres across the street from Osgood Landing or adjacent to it. These areas are currently zoned for other use but could be rezoned to contribute to employee housing if needed.

While some of the 122 acres would be needed for residential support services, most likely over 100 acres of property could accommodate residential housing of varying sizes.

Housing Prices

Another advantage of the Lower Merrimack Valley is the diversity of real estate prices, allowing for affordable housing across the area. The average unit pricing for each town is:

- **Andover \$553,800**
- **Haverhill \$256,000**
- **Lawrence \$211,900**
- **Methuen \$279,000**
- **North Andover \$436,000**

A few charts at the end of this answer compare various characteristics of everyday life (including demographics, race/ethnicity, housing, etc) to better illustrate the diversity of the region.

Crime Data

NeighborhoodScout.com collects crime data from across the county as crimes per 1,000 population, FY 2016). The Lower Merrimack Valley compares favorably to a large city like Seattle as well as to the rest of Massachusetts as a whole.

Region	Violent Crimes	Property Crimes	Total Crimes
Lower Merrimack Valley	3.43	15.67	18.10
Massachusetts-Total	3.91	16.91	20.82
Seattle, WA	6.01	57.75	63.76



Semana Hispana



Andover Day



Harold Parker State Forest

Cost of Living

Sperling’s Best Places (bestplaces.net) provides area vs. area comparisons including overall cost of living (% above or below the national average).

The Lower Merrimack Valley (5-towns combined) compared to Seattle:

Region	Cost of Living (% above the national average)
Lower Merrimack Valley	37.47%
Seattle	76.50%



Downtown Haverhill

Lower Merrimack Valley
Demographic Analysis

	Andover	Haverhill	Lawrence	Methuen	North Andover	TOTAL
Age						
Under 21	30.7%	26.8%	33.4%	27.4%	28.4%	29.7%
21-34	13.1%	18.6%	22.2%	16.8%	13.7%	18.0%
35-44	12.8%	13.9%	13.1%	13.4%	14.1%	13.4%
45-54	18.5%	14.8%	12.6%	15.1%	16.6%	14.9%
55-64	12.8%	12.9%	9.7%	13.1%	12.8%	11.9%
65+	12.1%	13.0%	8.9%	14.3%	14.4%	12.0%
TOTAL	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Media Age	41.5	38.4	31.0	39.3	41.2	37.0
Race						
White	85.4%	85.7%	40.0%	80.6%	89.2%	1362.2%
African American	2.3%	3.9%	8.5%	3.9%	2.5%	94.7%
Hispanic (Any)	4.3%	17.4%	75.7%	21.4%	5.1%	633.0%
Other	12.4%	2.1%	4.3%	4.3%	7.2%	100.0%
TOTAL	104.5%	109.1%	128.5%	110.3%	103.9%	

NOTE: Totals will add up to more than 100% due to mixed race families.

Lower Merrimack Valley
Social Characteristics

	Andover	Haverhill	Lawrence	Methuen	North Andover	TOTAL
Household Type						
Married w/ Children	38.8%	18.3%	14.5%	22.5%	28.1%	21.9%
Married No Children	30.2%	34.3%	32.5%	38.2%	36.5%	34.3%
Single w/Children	6.2%	11.5%	22.9%	10.0%	6.2%	13.2%
Single Adult	24.8%	35.9%	30.1%	29.3%	29.3%	30.6%
TOTAL	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Avg. HH Size	2.7	2.6	2.9	2.7	2.6	2.7
Education*						
Some High School	2.8%	12.5%	31.5%	11.7%	3.0%	15.3%
High School Grad	11.4%	28.3%	32.0%	31.2%	19.6%	26.6%
Some College	9.0%	20.1%	18.8%	18.5%	13.1%	17.1%
Assoc. Degree	6.3%	10.4%	5.8%	9.8%	6.8%	8.0%
Bach. Degree	34.3%	18.9%	8.0%	18.8%	29.7%	19.2%
Grad. Degree	36.2%	9.8%	4.0%	10.0%	27.8%	13.9%
TOTAL	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Bach. Degree+	70.5%	28.7%	11.9%	28.7%	57.5%	33.1%
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*Adults 25+ years of age

Lower Merrimack Valley
Economic Characteristics

	Andover	Haverhill	Lawrence	Methuen	North Andover	TOTAL
Employment: Industry						
Agriculture	0.5%	0.3%	0.1%	0.2%	0.1%	0.2%
Costruction	2.2%	5.5%	4.6%	5.4%	2.1%	4.3%
Manufacturing	14.8%	12.0%	21.5%	14.4%	13.1%	15.6%
Wholesale, Retail Trade	9.9%	15.1%	14.8%	16.2%	12.5%	14.2%
Transportaion	2.1%	3.4%	4.5%	3.7%	2.1%	3.4%
Information	3.5%	2.5%	1.1%	3.2%	2.6%	2.4%
Finance, Insurance	8.8%	5.4%	3.7%	6.1%	8.5%	6.0%
Prof., Scientific, Mngmt.	17.9%	11.5%	11.9%	11.1%	19.4%	13.4%
Edu., Healthcare	30.8%	27.1%	21.2%	24.2%	25.9%	25.3%
Arts, Entertainment	4.1%	9.8%	8.4%	7.0%	8.1%	7.8%
Public Admin.	3.5%	3.6%	2.6%	4.7%	2.1%	3.4%
Other	1.8%	3.8%	5.4%	3.8%	3.3%	3.9%
TOTAL	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

HH Income						
Under \$25,000	9.4%	20.3%	37.7%	17.2%	11.0%	22.2%
\$25,000-\$49,999	11.6%	21.0%	26.6%	19.9%	14.9%	20.4%
\$50,000-\$74,999	11.1%	17.8%	15.1%	16.5%	12.7%	15.2%
\$75,000-\$99,999	10.0%	13.5%	10.1%	14.6%	11.2%	12.0%
\$100,000-\$149,999	17.5%	17.0%	6.9%	18.7%	18.2%	14.6%
\$150,000+	40.4%	10.5%	3.6%	13.1%	32.0%	15.5%
TOTAL	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Mean HH Income	\$151,129	\$77,613	\$48,496	\$82,980	\$130,824	\$86,271
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Lower Merrimack Valley
Housing Analysis by Unit Size

	Andover	Haverhill	Lawrence	Methuen	North Andover	TOTAL
Housing Structure						
1 Unit	73.4%	52.3%	23.4%	66.1%	65.1%	50.8%
2 Units	3.6%	14.9%	19.4%	9.2%	5.7%	12.5%
3-4 Units	3.8%	11.0%	30.3%	6.0%	7.3%	14.3%
5-9 Units	4.9%	7.1%	8.7%	4.0%	6.9%	6.7%
10-19 Units	4.1%	5.1%	6.1%	5.1%	8.1%	5.6%
20+ Units	10.1%	9.4%	11.3%	9.3%	6.9%	9.8%
Other	0.1%	0.2%	0.8%	0.3%	0.0%	0.4%
TOTAL	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Housing Tenure						
Owner Occupied	79.5%	61.8%	28.0%	71.2%	73.5%	57.5%
Renter Occupied	20.5%	38.2%	72.0%	28.8%	26.5%	42.5%
TOTAL	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Median HH Value	\$553,800	\$256,600	\$211,900	\$279,100	\$436,000	\$308,429
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For questions, please contact:

Eric Kfoury
Director of Community and Economic Development
Town of North Andover

ekfoury@northandoverma.gov
(978) 688-9533

appendix

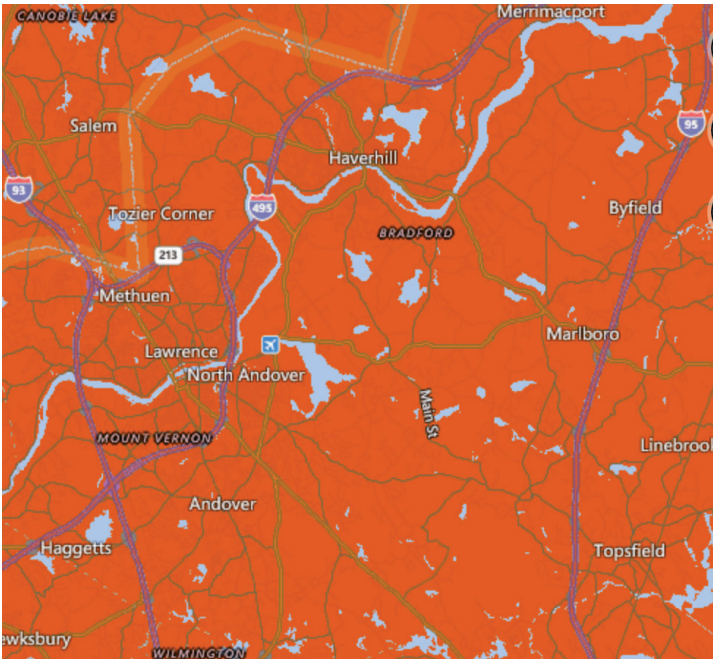
- **Additional Available Parcels**
- **Cell Phone Coverage Maps**
- **Testimonials**
- **Zoning Bylaw – Section 18: Osgood Smart Growth Overlay**

Additional Available Parcels

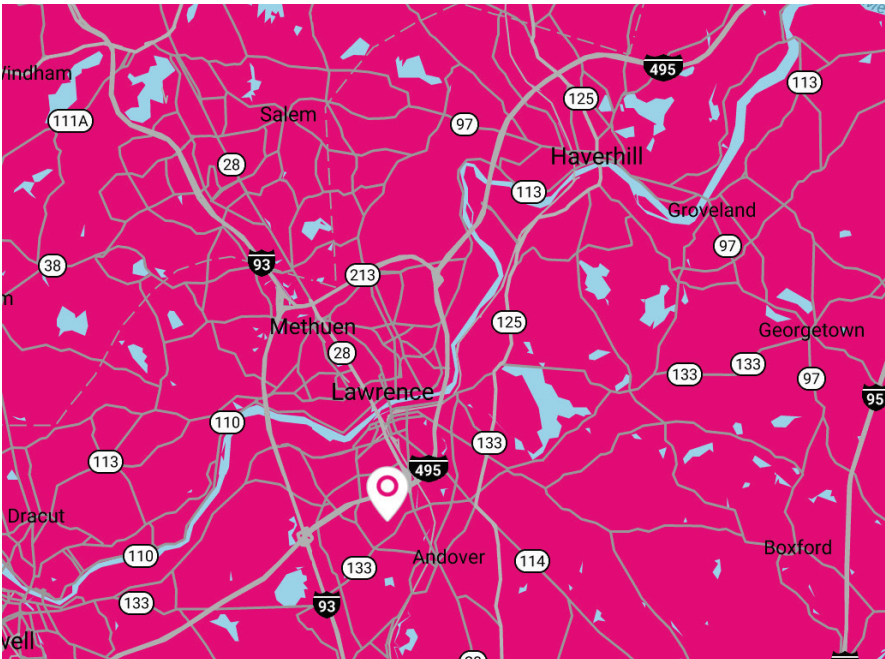
PARCEL	ACREAGE	ADDRESS	City
1345 Boston Road Realty Trust	0.09	0 Osgood Street	North Andover
Vista Farms Inc.	0.88	0 Osgood Street	North Andover
Tropeano Inc.	3.22	1780 Osgood Street	North Andover
Atlantic North Andover Realty (Lifoam)	27.74	351 Holt Road	North Andover
Holt Road Realty LLC (Crusade Paper)	10.04	350 Holt Road	North Andover
Abbie Kayla LLC	2.18	334 Clark Street	North Andover
Clark Street LLC	1.16	314 Clark Street	North Andover
Francis D. Sullivan Irrevocable Trust	1.15	307 Clark Street	North Andover
POSITIVE START REALTY, INC	2.67	21 Clark Street	North Andover
Holt Road LLC	7.77	210 Holt Road	North Andover
TBI, LLC	1.9	120 Holt Road	North Andover
1320 Osgood Street Corporation (MTM Insurance)	1.15	1320 Osgood Street	North Andover
Forgetta Realty Trust	2	1292 Osgood Street	North Andover
Osgood Street AHF Realty Trust (1)	0.57	1284 Osgood Street	North Andover
Osgood Street AHF Realty Trust (2)	1.38	1284 Osgood Street	North Andover
Karen Barker	3.46	1341 Osgood Street	North Andover
Red Barn Trust	38.51	0 Osgood Street	North Andover
Elizabeth and Karen Barker	16.97	1267 Osgood Street	North Andover
The Albacado 1755 Limited	1.26	1755 Osgood Street	North Andover
Roy McKinney	4.66	1719 Osgood Street	North Andover
Extra Space Properties	3.02	1701 Osgood Street	North Andover
Chad Lawlor	2.83	1679 Osgood Street	North Andover
Tyler Munroe	1.94	1659 Osgood Street	North Andover
BEM Realty	1.3	1635 Osgood Street	North Andover
Mark Valentino	1	1609/12 Osgood Street	North Andover
1591 Osgood Propoerties LLC	2.85	1591 Osgood Street	North Andover
Microwave Engineering Corp	2.54	1581 Osgood Street	North Andover
Albacado Limited	5.01	45 Beechwood Drive	North Andover

Albacado Beechwood Limited	2.65	45 Beechwood Drive	North Andover
Albacado Limited	2.86	0 Beechwood Drive	North Andover
Service Bury LLC	6.08	1503 Osgood Street	North Andover
Town of North Andover	1.88	1475 Osgood Street	North Andover
George Barker, Jr.	1.84	25 Orchard Hill Road	North Andover
AAA Southern NE	3.68	49 Orchard Hill Road	North Andover
Kristen & Lindsey Realty LLC	2.11	1451 Osgood Street	North Andover
Kristen & Lindsey Realty LLC	1.48	0 Osgood Street	North Andover
Technical Training Foundation Trust	1.99	1429 Osgood Street	North Andover
AIMCO/TTA MS235	42.18	1 Royal Crest Drive	North Andover
AIMCO/TTA MS235	34	28 Royal Crest Drive	North Andover
Owner Unknown	11	143 Pleasant Valley	Methuen
Owner Unknown	8.3	476 Broadway	Methuen
Owner Unknown	141	Hickory Hill	Methuen
Polartec	10	46 Stafford Street,	Methuen
The Dartmouth Company	7.68	6 Chickerin Street	Lawrence
City of Lawrence	14	207 Marston Street	Lawrence
P&G Holdings	46		Andover
Interstate 93 Tri-Town Interchange Development	82	0 Dascomb Road	Andover
Interstate 93 Tri-Town Interchange Development	20	300 Minuteman Road	Andover
Executive Place	28	Burt Road	Andover
Hilldale Site 1 / Jack Paley	85		Haverhill
Hilldale Site 2 / Wolf Jacomowitz	40.5		Haverhill
Broadway Site 1 / Drake Behrakis	31.8		Haverhill
Broadway Site 2 / Claridge Real Estate	20		Haverhill
Broadway Site 3 / William Conte	60.2		Haverhill
Bradford Site 1 / City of Haverhill	4.84		Haverhill
	860.32		

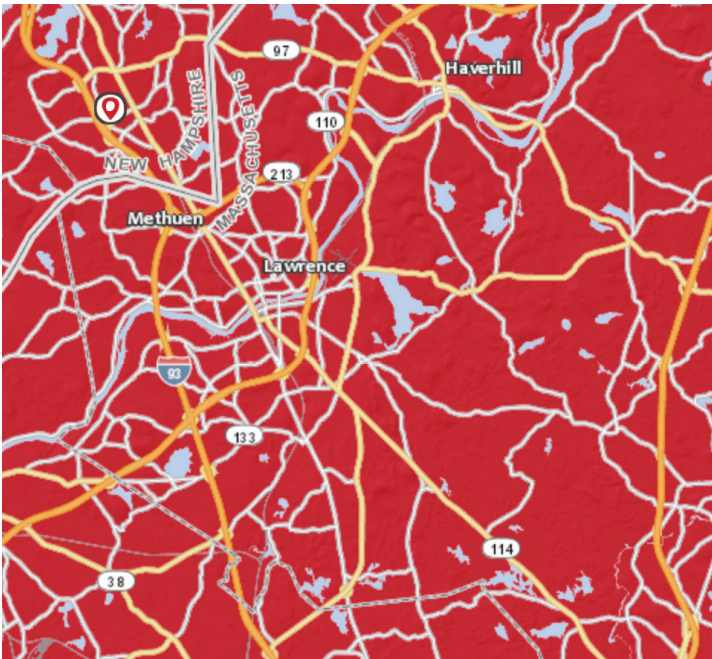
Cell Phone Coverage



AT&T



T-Mobile



Verizon

Testimonials

"This innovation hub at Harbor Place will link the region's technology start-ups and entrepreneurs to resources that facilitate the development of manufacturing and commercialization of their respective innovations."

Jacqueline Moloney, Chancellor, UMass Lowell

"Having our company headquarters in Haverhill just made sense. Its convenient to everything. It's close enough to Boston to be connected, but far enough to easily transport merchandise without congestion"

Raymond Bolger, President, Runtal Radiators

"There are a lot of young professionals moving to Haverhill. It's near the highway, close to New Hampshire. You have the commuter rail and Amtrak Downeaster and the great thing about Haverhill is you are minutes away from various activities. You're right on the river, close to the mountains and beaches, and there are plenty of hiking and mountain biking trails in the city and throughout the area."

Salvatore DeFranco, Founder & CEO, Battle Grounds Coffee

"Haverhill is on the move as a Gateway City taking full advantage of its distinctive assets, including educational and cultural institutions, and, historic buildings for economic growth. Harbor Place is one of the largest projects launched in the Merrimack Valley in decades and is a transformative investment for Haverhill."

Brian Dempsey, Chief Operating Officer, ML Strategies

"Haverhill has been a great place to work, they have been very accommodating, which make our jobs easier"

Don Tanguay, Manager of Customer Logistics, Mondelez International

"Being located in Haverhill has been advantageous for us. We have easy access to a large workforce within walking distance and the infrastructure to do business affordably"

Steve Schaefer, VP of Operations, Joseph's Gourmet Pasta

"The City of Haverhill has been very supportive of Magellan's business. Recently we requested a meeting with the mayor and assistance from the City. The Mayor was very supportive and the City followed through. Haverhill's attention and responsiveness is unparalleled."

The initiatives underway in the City of Haverhill - the focus on improving the schools, the vibrant downtown and the beautification projects all make Haverhill an attractive community for our Magellan employees to work and live.

Norm Royce, General Manager, Magellan Aerospace

"...In the Valley you have sustainability. See what the valley offers, is we have such a job pool of young minds, young adults, people that are hungry, but you know where they want to settle? They want to settle in the Merrimack Valley, because we have some of the most exciting zip codes in the entire state. So therefore, if you move your business here, you can be assured that as your employee climbs that economic ladder, theres a good chance they're going to want to settle in Andover, Lawrence, Methuen, North Andover or Haverhill."

Sal Lupoli, Chairman Merrimack Valley Chamber of Commerce

"We believe in manufacturing in the USA and Haverhill has been good for us. They City has been extremely open to our company and very business friendly. The surrounding workforce has been indispensable for our operations"

John Martynec, VP Manufacturing and Operations, Southwick

“Haverhill has been a phenomenal place for my business. The location and prices set it apart. I can spend time with clients in Boston and manufacture products just 30 miles away. Its integration with the Greater Boston market has been essential for me and the City couldn’t be more helpful. I feel proud to be part of the community here and couldn’t imagine being anywhere else.”

Rich Breault, President, Lightspeed Manufacturing

“Downtown Haverhill is in the midst of a major renaissance, with distinctive lofts and riverfront housing opportunities, local shops, a new riverfront boardwalk, a burgeoning restaurant scene, and a growing creative community. Compact, walkable, and transit accessible. Downtown Haverhill is a vibrant and convenient location for residents and businesses, and serves as a busy hub for the broader community.”

Noah Koretz, Deputy Director of Transformative Development, MassDevelopment

“Operating in Haverhill has been good for us. The City has helped us at every turn whether it’s workforce solutions or business support programs. We are pleased to be invested in this community.”

Warren Seitz, Site Director, EMD Performance Materials

“We are a high-tech company and we built our worldwide headquarters in Lawrence and have grown the business. Uniquely located within reach of all types and skills we need.... a phenomenal place to grow your business.”

Jeff Burbank, CEO NxStage Medical, Inc

“Haverhill has been a wonderful place for our company. The City is always willing to ‘go to bat’ for our business and its proximity to the highway has made it easy for us to move our products.”

Andries Du Plessis, General Manager, Cabot Corporation

“North Andover has been a terrific location to do business, both for us as a landlord, and for the diverse businesses who call our property home. The Town has been a crucial partner in assisting us with the growth and success of our mixed-use development.”

David Steinbergh, Principal, RCG LLC

“Its a great educated, entrepreneurial spirit and it’s a really favorable business environment. You have so many people that love living here, so you’ve got a great work force, you’ve got a conducive government system, you’ve got terrific governors and national leaders in place. We’ve found it to be one of the most business friendly environments in the entire country”

Peter Peterson, VP of Sales One Path

“As a high tech manufacturer with products on Mars I have had success operating in Haverhill. We are one of three circuit board manufacturers left in Massachusetts. Haverhill has been good for our business.”

Peter Bigelow, President/CEO, IMI

“Merrimack College was built to educate returning American servicemen for reintegration into a changed workforce. This is a charge we have kept for 70 years. Most recently, this has meant an increasing focus on STEM, business, health sciences and other fields. While this has played a large part in growing enrollments and faculty during a time of industry contraction, we know that our location – a short commute to Boston, to the mountains of New Hampshire and Vermont, and to beaches along the Atlantic - is no small part of the choice made by more and more students and faculty to come to this region. We know North Andover and the Valley and whose leadership is both supportive of innovation and creative in ways of partnering to make it easy for employers to locate here and to put people to work and settle in for life. We strongly urge Amazon to join this amazing history and synergy and locate its headquarters here.”

Christopher Hopey, President, Merrimack College

Zoning Bylaw – Section 18:

Osgood Smart Growth Overlay

SECTION 17.0 OSGOOD SMART GROWTH OVERLAY DISTRICT (OSGOD)

17.1 Purpose

It is the purpose of this Section to establish an Osgood Smart Growth Overlay District and to encourage smart growth in accordance with the purposes of G. L. Chapter 40R, and to foster a range of housing opportunities along with a mixed-use development component, to be proposed in a distinctive and attractive site development program that promotes compact design, preservation of open space, and a variety of transportation options, including enhanced pedestrian access to employment and nearby rail access. Other objectives of this Section are to:

1. Promote the public health, safety, and welfare by encouraging diversity of housing opportunities;
2. Provide for a full range of housing choices for households of all incomes, ages, and sizes in order to meet the goal of preserving municipal character and diversity;
3. Increase the production of a range of housing units to meet existing and anticipated housing needs;
4. Provide a mechanism by which residential development can contribute directly to increasing the supply and diversity of housing;
5. Establish requirements, standards, and guidelines, and ensure predictable, fair and cost-effective development review and permitting;
6. Establish development standards to allow context-sensitive design and creative site planning;
7. Enable the Town to receive Smart Growth Educational Aid payments for school children which may reside in residential developments within the OSGOD pursuant to G.L. Chapter 40S, and which are available only for new developments in 40R Smart Growth Zoning Overlay Districts; and
8. Enable the Town to receive Zoning Incentive Payments and/or Density Bonus Payments in accordance with G. L. Chapter 40R and 760 CMR 59.06 arising from the development of housing in the Osgood Smart Growth Overlay District.

17.2 Definitions

For purposes of this Section 17.0, the following definitions shall apply. All capitalized terms shall be defined in accordance with the definitions established under the Enabling Laws or this Section 17.2, or as set forth in the rules and regulations of the Permit Approval Authority ("Regulations"). To the extent that there is any conflict between the definitions set forth in this Section 17.2 or the Regulations and the Enabling Laws, the terms of the Enabling Laws shall govern.

1. **Accessory Building** – A detached building, the use of which is customarily subordinate and incidental to that of the principal building or buildings, whether or not located on the same lot.
2. **Accessory Use** – A use of a parcel customarily subordinate and incidental to the principal use of the lot, or a neighboring lot in the case of a use pursuant to an easement, or to a structure on the lot, or on a neighboring lot in the case of a structure erected and maintained pursuant to an easement.
3. **Administering Agency** – The local housing authority or other qualified housing entity designated by the PAA, pursuant to Section 17.8.6, to review and implement the Affordability requirements affecting Affordable Housing in Projects under Section 17.8.

4. **Affordable Homeownership Unit** - An Affordable Housing Dwelling Unit required to be sold to an Eligible Household.
5. **Affordable Housing** - housing that is affordable to and occupied by Eligible Households.
6. **Affordable Housing Restriction** - A deed restriction of Affordable Housing meeting statutory requirements in G.L. c. 184, Section 31 and the requirements of Section 17.8 of this Bylaw.
7. **Affordable Rental Unit** - an Affordable Housing Dwelling Unit required to be rented to an Eligible Household.
8. **Applicant** – A person that files an application for Plan Approval and/or special permit and/or other approval pursuant to this Section 17. If the Applicant is not the owner of the real property on which the development is proposed, then the Applicant, as part of the application or notice shall obtain the owner’s written authorization to file such application or notice. Such written authorization may take the form of pre-existing agreements or instruments including, without limitation, signed purchase and sale agreement(s) and signed easement(s) (whether or not yet recorded), or a written letter of authorization from the owner of the real property.
9. **As-of-Right Project** - Means a development of residential or non-residential under zoning without recourse to a special permit, variance, zoning amendment, or other form of zoning relief. A proposed development that requires a special permit pursuant to this Section 17.0 shall not be considered an As-Of-Right Project.
10. **Building** – A combination of any materials, whether portable or fixed, having a roof, to form a structure for the shelter of persons, animals, processes or property. For the purpose of this definition, “roof” shall include an awning or any similar covering, whether or not permanent in nature. The word “building” shall be construed, where the context requires, as though followed by the words “or part of parts thereof.”
11. **Building Area** –The aggregate of the maximum horizontal cross-sectional area of all buildings on a lot exclusive of cornices, eaves, gutters, chimneys, unenclosed porches, bay windows, balconied and terraces.
12. **Building Height** - Measured from the average ground height adjoining at the exterior walls of a building to highest point on the roof of the building, exclusive of decorative cupolas, weather vanes, chimneys and vent structures, antennas, satellite dishes, mechanical penthouses and other structures or enclosures not intended for human habitation.
13. **Design Standards** – Means provisions of Section 17.11 made applicable to developments within the OSGOD that are subject to the Plan Approval process.
14. **Development** – Any type of construction not defined as a “Project”.
15. **DHCD** – Department of Housing and Community Development of the Commonwealth of Massachusetts, and any successor agency.
16. **Driveway or Drive Lane** – A portion of a lot designed for vehicular access to off-street parking or loading space or to a garage, whether or not located on the same development

real property. For purposes of this Section 17, a Driveway or Drive Lane is distinguished from a “Roadway” as defined below.

- 17 **Dwelling Unit** – One (1) or more living, kitchen and sleeping room(s) providing complete living facilities for the use or one (1) or more individuals constituting a single housekeeping unit, with permanent provisions for living, sleeping, eating, cooking and sanitation, but not including mobile homes or trailers, however mounted, or commercial accommodations offered for transient occupancy of less than one month’s duration.
- 18 **Eligible Household** - An individual or household whose annual income is less than 80 percent of the area-wide median income for the Lawrence MA-NH HMFA (HUD Metro FMR Area) as determined by the United States Department of Housing and Urban Development (HUD), adjusted for household size, with income computed using HUD's rules for attribution of income to assets.
- 19 **Enabling Laws** - G.L. Chapter 40R and 760 CMR 59.00.
- 20 **Fast Food Establishment** – An establishment whose primary business is the sale of food upon a very short waiting time, served primarily through a drive-through facility, and which, because of the nature of the operation, causes or is a major contributor to a large volume or frequent turnover of vehicular traffic.
- 21 **Floor Area, Gross** -- Gross floor area shall be the floor area within the perimeter of the outside walls of the building without deduction for hallways, stairs, closets, thickness of walls, columns or other features.
- 22 **Floor Area Ratio** – The ratio of the floor area to the development site area defined in the Application, as determined by dividing the Gross Floor Area by the land area of the site which is the subject of the development defined in the Application.
- 23 **Landscaped Buffer** – A planted area intended to provide, when mature, a visual screen between uses. Landscaped buffers may include existing vegetation, new plantings and/or lawn areas. Fencing may form a part of the landscaped buffer or screening where appropriate or dictated by topography or other consideration.
- 24 **Landscaping** – Improvements to land to enhance its attractiveness and facilitate its use and enjoyment. Landscaping may include walks, terraces and the like, fencing, stone walls or other decorative walls, site furnishings, grading and reshaping of earth contours, planting, and lawn areas. Landscaping may also include existing natural areas indicated to remain and/or be renovated.
- 25 **Lot Coverage** - The gross floor area for principal and accessory structures permitted on a site.
- 26 **Mixed-Use Development Project** – A development containing a mix of residential uses and non-residential uses, as allowed in Section 17.6, and subject to all applicable provisions of this Section 17.
- 27 **Multi-family Residential Use** – Apartment or condominium Dwelling Units in one or more buildings, each of which buildings contains or will contain more than three (3) such Dwelling Units.

- 28 Open Space** - The portion of a site within the OSGOD not occupied by buildings, parking, garages, roadways, driveways and drive lanes, but which shall include, among other areas, all landscaped areas, all un-built areas, all sidewalks and walkways, and all swimming pools, tennis courts and other recreational facilities primarily open to the sky, whether or not landscaped.
- 29 OSGOD** – The Osgood Smart Growth Overlay District established in accordance with this Section 17.
- 30 PAA Regulations** – The rules and regulations of the PAA adopted pursuant to Section 17. Such rules and regulations shall not take effect until approved by DHCD and filed with the Town Clerk.
- 31 Plan Approval** – A determination made in the form of a written decision by the PAA that the proposed site plan for the development complies with the standards and criteria which a site located within the OSGOD must meet under the procedures established herein and in the Enabling Laws and/or G.L. c. 40A as more particularly provided herein.
- 32 Plan Approval Authority (PAA)** For purposes of reviewing development applications and issuing decisions on development Projects and Commercial Projects within the OSGOD, **the Planning Board (the “PAA”), consistent with G.L. Chapter 40R and 760 CMR 59.00,** shall be the Plan Approval Authority, and consistent with G.L. c. 40A, shall be the special permit granting authority or other approval authority as provided herein, and the PAA is authorized to approve a site plan to implement a development.
- 33 Principal Building** – A building in which is conducted main or principal use of the site on which said building is situated. A development is permitted to have more than one Principal Building.
- 34 Principal Structure** – The structure on a development site, which contains the primary use of the site. A principal use shall not be contained within an accessory structure as defined in the above. A development is permitted to have more than one Principal Structure.
- 35 Project** - a Residential Project and/or Mixed Use Development Project, undertaken within the OSGOD in accordance with the requirements of this Section 17.
- 36 Project, Commercial** – a development which is proposed and which either requires a special permit as provided herein, or is otherwise not a “Project” as defined above.
- 37 Residential Project** - a Project that consists solely of residential, parking, and accessory uses.
- 38 Recreational Uses** - Active recreational uses, including but not limited to ball fields; and passive recreational uses, including but not limited to walking and bicycle paths. Amusements or motorized uses shall not be considered eligible recreational uses.
- 39 Roadway** – a main access corridor as defined under Section 17.11.14. A Roadway is not a “Driveway” or “Drive Lane” as defined above.
- 40 Structure** – A combination of materials for occupancy or use, such as a building, bridge, trestle, tower, framework, tank, tunnel, tent, stadium, reviewing stand, platform, shelters,

piers, bin, sign, swimming pool or the like; the term structure shall be construed as if followed by the words “or part thereof”.

41 Sub-district – A specific and defined area of land within the OSGOD that is subject to specific requirements for allowable uses and/or dimensional requirements that may differ from the requirements for allowable uses and/or dimensional requirements in other specific and defined areas within the OSGOD. The boundaries and the names of the Sub-districts are referred to in Section 17.3.3 herein.

42 Underlying Zoning – The zoning otherwise established by the Zoning Bylaw without regard to this Article.

43 Use – The purpose for which a structure or land is used or intended to be used.

44 Use, Substantially Different – A use which by reason of its normal operation would cause readily observable, material differences in patronage, service, appearance, noise, employment or similar characteristics from the use to which it is being compared.

45 Zoning Bylaw - the Zoning Bylaw of the Town of North Andover, as amended.

17.3 Overlay District

17.3.1 Establishment

The Osgood Smart Growth Overlay District, hereafter referred to as the OSGOD, is an overlay district having a land area of approximately one hundred sixty-nine (169) acres in size that is superimposed over all underlying zoning districts, including without limitation all other overlay districts, established by the Zoning Bylaw now or hereafter applicable to the properties known as 1600 Osgood Street, and is shown **on the Zoning Map as set forth on the map entitled “1600 Osgood Street Smart Growth Overlay District”,** dated March, 2007, prepared by the North Andover Division of Community Development. This map is **hereby made a part of the Zoning Bylaw and is on file in the Office of the Town Clerk (the “OSGOD Zoning Map”).** The OSGOD contains all of the real property described in a deed from Lucent Technologies, Inc. to 1600 Osgood Street, LLC dated August 21, 2003, recorded with the Essex North District Registry of Deeds in Book 8213, Page 272 as more particularly shown on the OSGOD Zoning Map.

17.3.2 Underlying Zoning

The OSGOD is an overlay district superimposed on all underlying zoning districts. As required by the Enabling Laws, the regulations for use, dimension, and all other provisions of the Zoning Bylaw governing the underlying zoning district(s) shall remain in full force, except for those sites undergoing development pursuant to this Section 17. Within the boundaries of the OSGOD, a developer may elect to either develop a site in accordance with the requirements of this Section 17, or to develop a site in accordance with the requirements of the regulations for use, dimension and all other provisions of the Zoning Bylaw governing the underlying zoning district(s).

17.3.3 Sub-districts

The OSGOD contains three (3) Sub-districts, all hereby established and all in the locations shown on the OSGOD Zoning Map, including: (a) the Residential Mixed Use Zone, containing approximately 31.65

acres; (b) the Mixed-Use Development Zone, containing approximately 10.15 acres; and (c) the Business Opportunity Zone, containing approximately 125.94 acres. For purposes of the application of this Section 17, and for a proposed development which is located within a sub-district identified as the Mixed Use Zone and/or the Business Opportunity Zone, the uses permitted and the dimensional and other controls applicable in a Sub-district may be extended into the adjacent Subdistrict described above to the extent of one-hundred fifty (150) feet as long as the limit of said extension is reflected on the site plan for a proposed development for which Plan Approval is required under this Section 17. Moreover, a residential use may be accessed via a commercially zoned and/or mixed use Sub-district, and in turn, a non-residential use may be accessed via a residentially-zoned and/or mixed use Sub-district.

17.4 Administration, Enforcement, and Appeals

The provisions of this Section 17 shall be administered by the Planning Board, except as otherwise provided herein. Any appeal arising out of a Plan Approval decision by the PAA with respect to a Project shall be governed by the applicable provisions of G. L. Chapter 40R, except with respect to a Commercial Project or other development requiring a special permit or other approval under G.L. c.40A, in which case, the provisions of M.G.L. c.40A shall govern only the portion of the development for which a such special permit or other approval is required.

This Section shall be enforced by the Building Inspector, who may require the submission of plans, specifications and other information, which he deems to be necessary to determine compliance with its provisions. No building shall be constructed, reconstructed, enlarged, altered, moved, removed or demolished as part of a development governed by this Section without obtaining a building permit. The Building Inspector shall withhold such building permit if such building or such activity included in such a development governed by this Section, would be in violation of this Section. No actual use and occupancy (as opposed to construction and/or break-in period testing) of a building, a lot, or a portion of either of them shall be commenced or changed without the issuance by the Building Inspector of a certificate of compliance. The Building Inspector shall withhold such certificate of compliance unless the Building Inspector is satisfied that all work has been completed in accordance with the provisions of the applicable approved permits and of the applicable provisions of this Section, and that the proposed use will be in conformity with the applicable provisions of this Section.

17.5 Applicability of OSGOD

In accordance with the provisions of G.L. Chapter 40R and 760 CMR 59.00, an Applicant for a development located within the OSGOD may seek Plan Approval in accordance with the requirements of this Section 17. In such case, then notwithstanding anything to the contrary in this Zoning Bylaw, such application shall not be subject to any other provisions of this Zoning Bylaw, including limitations upon the issuance of building permits for residential uses related to a rate of development or phased growth limitation or to a local moratorium on the issuance of such permits, or to building permit or dwelling unit limitations, including but not limited to limitations provided in Section 4.2 (“Phased Development Bylaw”) of the Zoning Bylaw. **The total number of residential Dwelling Units which can be developed within the OSGOD shall not exceed 530, and such Dwelling Units may only be developed within the Residential Mixed Use Zone and/or the Mixed Use Development Zone defined below and in accordance with the provisions of this Section 17.0.**

17.6 Permitted Uses

The following uses are permitted, as more specifically described below:

17.6.1 Residential Mixed-Use Zone

17.6.1.1 Purpose

The purpose of the Residential Mixed-Use Zone is to increase the efficiency of land use, promote a diversity of housing types, emphasize and encourage pedestrian and bicycle circulation, and to encourage the integration of smaller commercial and retail activities to complement the primary residential uses.

17.6.1.2 As-Of-Right Uses

The following uses shall be permitted in the Residential Mixed Use Zone As-of-Right upon Plan Approval pursuant to the provisions of this Section 17:

1. Two-family, three- family, townhouse, and/or Multi-family Residential Use(s), provided that the minimum allowable as-of-right density requirements for residential use specified in Section 17.9 shall apply to the residential portion of a mixed-use development;
2. Assisted living units and facilities;
3. Continuing Care Retirement Center;
4. Independent Elderly Housing;
5. Day care center;
6. Eating and drinking establishment not to exceed 2,000 square feet in gross floor area per user and shall not contain a drive-through facility;
7. Municipal recreation area;
8. Non-profit School;
9. Outdoor recreation area;
10. Personal Services, banking and retail establishments not to exceed 3,000 square feet in gross floor area per user;
11. Places of worship;
12. Private School;
13. Parking accessory to any of the above permitted uses, including surface, garage-under, and structured parking (e.g., parking garages), as well as parking accessory to the uses described in Subsection 17.6.1.3 below; and,
14. Other accessory uses customarily incidental to any of the above permitted uses as determined by the Building Inspector.

17.6.1.3 Uses Allowed By Special Permit

The following uses shall be permitted in the Residential Mixed Use Zone by Plan Approval Special Permit issued by the Plan Approval Authority pursuant to the provisions of Section 17.6.5:

1. Eating and drinking establishment in excess of 2,000 square feet of gross floor area per user, but less than 15,000 square feet of gross floor area per user, provided that such establishment shall not contain a Fast Food Establishment;

2. Personal Services, banking and retail establishments in excess of 3,000 square feet of gross floor area per user but less than 15,000 square feet of gross floor area per user;
3. Nursing and Convalescent Homes;
4. Commuter Rail System; and,
5. Other accessory uses customarily incidental to any of the above permitted uses as determined by the Inspector of Buildings.

17.6.1.4 The total Gross Floor Area devoted to non-residential uses and non-residential accessory uses located within the Residential Mixed Use Zone shall not exceed 75,000 square feet.

17.6.2 Mixed-Use Development Zone

17.6.2.1 Purpose

The intent of the Mixed-Use Development Zone is to provide a transition between primarily residential development and compact, higher density commercial and mixed-use development, to increase the efficiency of land use on land which is Substantially Developed Area, to allow Commercial Projects which may include a mixture of complimentary land uses such as housing, retail, offices, commercial services, and civic uses, to create economic and social vitality and to encourage the linking of trips.

17.6.2.2 As-Of-Right Uses

The following uses shall be permitted in the Mixed Use Development Zone As-of-Right upon Plan Approval pursuant to the provisions of this Section 17.6.5 and other applicable provisions of this Section 17:

1. Agricultural Use;
2. Art Gallery;
3. Businesses, Professional and Other Offices;
4. Day Care Center;
5. Eating and drinking establishment not to exceed 2,000 square feet in gross floor area per user and which shall not be a Fast Food Establishment;
6. Funeral Parlor;
7. Guest house;
8. Medical Center and/or Medical Offices;
9. Motel/Hotel;
10. Outdoor recreation area, including but not limited to, tennis court, basketball court, athletic fields, tot lots, and passive recreation;
11. Personal Services Establishments;
12. Places of Worship;
13. Public Building or use;
14. Retail, banking, and service establishments not to exceed 20,000 square feet in gross floor area per user;
15. Parking accessory to any of the above permitted uses as well as uses described in Section 17.6.2.3, including surface, garage-under, and structured parking (e.g., parking garages), as well as parking accessory to the uses described in Subsection 17.6.2.3 below; and,
16. Accessory uses customarily incidental to any of the above permitted uses as determined by the Inspector of Buildings.

17.6.2.3 Uses Allowed By Special Permit

The following uses shall be permitted in the Mixed Use Development Zone by Plan Approval Special Permit issued by the Plan Approval Authority, as Special Permit Granting Authority (SPGA), pursuant to the provisions of this Section 17.6.5:

3. Two-family, three- family, townhouse, and/or Multi-family Residential Use(s), provided that the minimum allowable as-of-right density requirements for residential use specified in Section 17.9 shall apply to the residential portion of a mixed-use development;
4. Assisted living units and facilities;
5. Continuing Care Retirement Center;
6. Independent Elderly Housing;
7. Nursing and Convalescent Homes;
8. Retail and Service Establishments in excess of 20,000 square feet of gross floor area per user but less than 65,000 square of gross floor area per user;
9. Eating and Drinking Establishment provided that such establishment shall not be a Fast-Food Establishment; and shall not exceed 15,000 square feet of gross floor area per user;
10. Incubator or Business Park;
11. Indoor Place of Amusement or Assembly, including but not limited to, arenas, theatres, and athletic or recreational facilities;
12. Indoor Ice Skating Facility;
13. Non-profit school;
12. Private School for profit;
13. Research and Development Facilities; and,
14. Retail Plaza not to exceed 150,000 square feet of gross floor area, where any single user cannot exceed 65,000 square feet of gross floor area.
15. Accessory uses customarily incidental to any of the above permitted uses as determined by the Inspector of Buildings.

17.6.3 Business Opportunity Zone

17.6.3.1 Purpose

The intent of the Business Opportunity Zone is to encourage efficient land use by facilitating compact, high-density retail, commercial, industrial development and other Commercial Projects, and to facilitate development (land use, density and design) that supports public transit if applicable.

17.6.3.2 As-Of-Right Uses

The following uses shall be permitted in the Business Opportunity Zone As-of-Right upon Plan Approval pursuant to the provisions of this Section 17.6.5 and other applicable provisions of this Section 17:

1. Agricultural Use;
2. Art Gallery;
3. Business, Professional and Other Offices;
4. Day Care Center;
5. Funeral Parlor;
6. Medical Center and/or Medical Offices;
7. Motel/Hotel;

8. Places of Worship;
9. Public Building or use;
10. Eating and Drinking Establishment;
11. Personal Services Establishment;
12. Municipal Recreation Area;
13. Manufacturing;
14. Printing and Reproduction;
15. Research and Development Facilities;
16. Retail, banking, and service establishments not to exceed 20,000 square feet in gross floor area per user;
17. Parking accessory to any of the above permitted uses, including surface, garage-under, and structured parking (e.g., parking garages), as well as parking accessory to the uses described in Subsection 17.6.3.3 below; and,
18. Accessory uses customarily incidental to any of the above permitted uses as determined by the Inspector of Buildings.

17.6.3.3 Uses Allowed By Special Permit

The following uses shall be permitted in the Business Opportunity Zone by Plan Approval Special Permit issued by the Plan Approval Authority, as Special Permit Granting Authority (SPGA), pursuant to the provisions of this Section 17.6.5:

1. Commuter Rail System;
2. Incubator or Business Park;
3. Indoor Place of Amusement or Assembly, including but not limited to, such uses shall include arenas, theatres, and athletic or recreational facilities;
4. Indoor Ice Skating or other athletic facility;
5. Non-profit school;
6. Outdoor recreation area, including but not limited to, tennis court, basketball court, athletic fields, and passive recreation;
7. Private School for profit; and,
8. Parking accessory to any of the above permitted uses, including surface, garage-under, and structured parking (e.g., parking garages)
9. Retail and Service Establishments in excess of 20,000 square feet of gross floor area per user;
10. Retail Plaza;
11. Public Service Corporation;
12. Windmills up to one hundred-fifty (150) feet to the top of the hub at the center of the rotor; and,
13. Accessory uses customarily incidental to any of the above permitted uses as determined by the Inspector of Buildings.

17.6.4 Prohibited Uses. All uses not expressly allowed are prohibited.

17.6.5 Criteria for Special Permit and Other Applicable Approval by Plan Approval Authority.

17.6.5.1 Any development component for which a special permit is required to be issued by the Plan Approval Authority, as Special Permit Granting Authority pursuant to Section 9 of M.G.L. c.40A, or for a Commercial Project approved under G.L. c. 40A, shall only be issued in accordance with the requirements of this Subsection 17.6.5.

17.6.5.2 The Plan Approval Authority may grant a Special Permit or other approval within the framework of this Section 17 only after holding a public hearing which must be held within sixty-five (65) days after the applicant files for such Special Permit or other approval. The sixty-five (65) days period shall be deemed to have begun with the filing of the application with the Plan Approval Authority. The Applicant is responsible for transmitting a copy of the application for a Special Permit or other approval within twenty-four (24) hours of the filing of the application with the Planning Board and to the Town Clerk.

17.6.5.3 The Plan Approval Authority shall not approve any such application for a Special Permit or other approval unless it finds that in its judgment all the following conditions are met:

1. The specific site is an appropriate location for such a use, structure or condition;
2. The use as developed will not adversely affect the neighborhood;
3. There will be no nuisance or serious hazard to vehicles or pedestrians;
4. Adequate and appropriate facilities will be provided for the proper operation of the proposed use;
5. With regard to a Special permit, the Plan Approval Authority shall not grant any Special Permit unless it makes a specific finding that the use is in harmony with the general purpose and intent of this Zoning Bylaw; and,
6. The use for which the special permit or other approval is sought complies with the dimensional and other criteria described in Sections 17.9 through 17.15 unless otherwise waived as provided therein.

17.6.5.4 In approving a Special Permit, the Plan Approval Authority may attach such conditions and safeguards only to the portion of the development requiring a special permit as are deemed necessary to protect the neighborhood such as, but not limited to, the following:

1. Requirements of front, side, or rear yards greater than the minimum required by this Bylaw;
2. Requirements of screening parking areas or other parts of the premises from adjoining premises or from the street, by walls, fences, planting, or other devices as specified by the Plan Approval Authority;
3. Modification of the exterior features or appearances of the structure;
4. Limitation of size, number of occupants, method or time of operation, or extent of facilities; and,
5. Regulation of number, design and location of access drives or other traffic features.

17.6.5.5 Special Permits or other approvals granted under the provisions contained herein shall be deemed to have lapsed after a two (2) year period from the date on which the Special Permit or other approval was granted unless substantial use or construction has commenced. If the Applicant can show good cause why substantial use or construction has not commenced within the two (2) year period, the Plan Approval Authority, as its discretion, may extend the Special Permit or other approval for an additional one (1) year period. Included within the two (2) year period stated above, is the time required to pursue or wait the determination of an appeal from the provisions of the Bylaw.

17.6.5.6 The Plan Approval Authority shall also apply the same dimensional, design and other criteria described in Sections 17.9 through 17.15 as applied to As-of-Right uses unless otherwise waived as provided therein.

17.6.5.7 Within (90) days following the date of the public hearing, the Plan Approval Authority shall take final action in the matter in order to issue a Special Permit or other approval provided for in this Section.

There shall be at least four (4) of the five (5) members of the Plan Approval Authority voting in favor of issuing the Special Permit or other approval.

17.6.5.8 A Special Permit or other approval granted under the provisions of this Bylaw shall not take effect until: the Town Clerk certifies on a copy of the decision that twenty (20) days have elapsed without filing of an appeal or that any appeal filed has been dismissed or denied, and the certified decision has been recorded at the owner's expense in the Essex County Registry of Deeds indexed in the grantor index under the name of the record owner, and noted on the owner's Certificate of Title;

If the Special Permit or other approval involves registered property, the decision, at the owner's expense shall also be filed with the Recorder of the Land Court.

17.6.5.9 At the discretion of the PAA, an Applicant seeking approval of a development including both As-Of-Right uses as well as uses requiring a Special Permit or other approval may combine such applications into a single application, and the PAA may combine both hearings and issue a single decision on such a combined development, provided that all requirements for the As-Of-Right development are complied with in accordance with the Enabling Laws and this Section 17.0, and with respect to uses allowed by Special Permit or other approval, are complied with in accordance with M.G.L. c. 40A.

17.7 Project Phasing

The PAA, as a condition of any Plan Approval, may require a Project to be phased to mitigate any extraordinary adverse Project impacts on nearby properties. For Projects that are approved and developed in phases, the proportion of Affordable units and the proportion of market rate units shall be consistent across all phases.

17.8 Housing and Housing Affordability

17.8.1 Marketing Plan

As part of any application for Plan Approval for housing within the OSGOD, an Applicant for such approval must submit a narrative document and marketing plan that establishes that the proposed development of housing is appropriate for diverse populations, including households with children, other households, individuals, households including individuals with disabilities, and the elderly. These documents in combination, to be submitted with a Plan Approval application pursuant to Section 17.12 below, shall include details about construction related to the provision, within the development, of units that are accessible to the disabled.

17.8.2 Number of Affordable Housing Units

For all Projects, not less than twenty percent (20%) of the housing units constructed in the District shall be Affordable Housing, as required by the Enabling Laws. For purposes of calculating the number of units of Affordable Housing required within the District, any fractional unit of 0.5 or greater shall be deemed to constitute a whole unit.

17.8.3 Requirements

Affordable Housing shall comply with the following requirements:

1. For an Affordable Rental Unit, the monthly rent payment, including utilities and parking, shall not exceed 30 percent of the maximum monthly income permissible for an Eligible Household, assuming 1.5 persons per bedroom, unless other affordable program rent limits approved by the DHCD shall apply;
2. For an Affordable Homeownership Unit the monthly housing payment, including mortgage principal and interest, private mortgage insurance, property taxes, condominium and/or homeowner's association fees, insurance, and parking, shall not exceed 30 percent of the maximum monthly income permissible for an Eligible Household, assuming 1.5 persons per bedroom; and,
3. Affordable Housing required to be offered for rent or sale shall be rented or sold to and occupied only by Eligible Households.

17.8.4 Design and Construction

Units of Affordable Housing shall be finished, but not furnished housing units. Units of Affordable Housing shall be dispersed throughout the development of which they are part and be compatible in initial construction quality and exterior design to other housing units in the development. The total number of bedrooms in the Affordable Housing shall be, insofar as practicable, proportionate to the total number of bedrooms in all the units in the development of which the Affordable Housing is part.

17.8.5 Affordable Housing Restriction

Each unit of Affordable Housing shall be subject to an Affordable Housing Restriction approved by the PAA which is recorded with the appropriate registry of deeds or district registry of the Land Court and which contains at least the following:

1. Specification of the term of the affordable housing restriction which shall be no less than thirty years, and in the discretion of the PAA, the Restriction may be in perpetuity;
2. The name and address of an administering agency with a designation of its power to monitor and enforce the affordable housing restriction;
3. A description of the Affordable Homeownership Unit, if any, by address and number of bedrooms; and a description of the overall quantity and number of bedrooms and number of bedroom types of Affordable Rental Units in a Project or portion of a Project which are rental. Such restriction shall apply individually to the specifically identified Affordable Homeownership Unit and shall apply to a percentage of rental units of a rental Project or the rental portion of a Project without specific unit identification;
4. Reference to a housing marketing and resident selection plan, to which the Affordable Housing is subject, and which includes an affirmative fair housing marketing program, including public notice and a fair resident selection process. The housing marketing and selection plan may provide for preferences in resident selection to the extent consistent with applicable law for the Affordable Housing Units; the plan shall designate the household size appropriate for a unit with respect to bedroom size and provide that the preference for such Unit shall be given to a household of the appropriate size;

5. A requirement that buyers or tenants will be selected at the initial sale or initial rental and upon all subsequent sales and rentals from a list of Eligible Households compiled in accordance with the housing marketing and selection plan;
6. Reference to the formula pursuant to which rent of a rental unit or the maximum resale price of a homeownership will be set;
7. Designation of the priority of the Affordable Housing Restriction over other mortgages and restrictions.
8. A requirement that only an Eligible Household may reside in Affordable Housing and that notice of any lease or sublease of any unit of Affordable Housing shall be given to the administering agency;
9. Provision for effective monitoring and enforcement of the terms and provisions of the affordable housing restriction by the administering agency;
10. Provision that the restriction on an Affordable Homeownership Unit shall run in favor of the administering agency and the Town and/or a nonprofit organization, in a form approved by municipal counsel, and PAA, and shall limit initial sale and resale to and occupancy by an Eligible Household;
11. Provision that the restriction on Affordable Rental Units in a rental Project or rental portion of a Project shall run with the rental Project or rental portion of a Project and shall run in favor of the Administering Agency and the Town and/or a non-profit organization, in a form approved by municipal counsel, and the PAA, and shall limit rental and occupancy to an Eligible Household;
12. Provision that the owner(s) or manager(s) of Affordable Rental Unit(s) shall file an annual report to the administering agency, in a form specified by that agency certifying compliance with the Affordability provisions of this Bylaw and containing such other information as may be reasonably requested in order to ensure affordability; and,
13. A requirement that residents in Affordable Housing provide such information as the administering agency may reasonably request in order to ensure affordability.

17.8.6 Administering Agency

An administering agency which may be the Local Housing Authority, or other qualified housing entity **(the “Administering Agency”) shall be designated by the PAA as the Administering Agency for all Projects in the OSGOD.** In a case where the Administering Agency cannot adequately carry out its administrative duties, upon certification of this fact by the PAA or by DHCD, such duties shall devolve to and thereafter be administered by a qualified housing entity designated by the PAA or, in the absence of such timely designation, by an entity designated by the DHCD. The Applicant and its successor in title and interest shall pay for the services of the Administering Agency or other such entity providing the services required herein, with such payment not to exceed a reasonable amount for such services to be agreed upon by the PAA and the Applicant. In any event, such Administering Agency shall ensure the following, both prior to issuance of a Building Permit for a Project within the OSGOD, and on a continuing basis thereafter, as the case may be:

1. Prices of Affordable Homeownership Units are properly computed; rental amounts of Affordable Rental Units are properly computed;
2. Income eligibility of households applying for Affordable Housing is properly and reliably determined;
3. The housing marketing and resident selection plan conform to all requirements and is properly administered;
4. Sales and rentals are made to Eligible Households chosen in accordance with the housing marketing and resident selection plan with appropriate unit size for each household being properly determined and proper preference being given;
5. Affordable Housing Restrictions meeting the requirements of this section are recorded with the proper registry of deeds; and,
6. Enforce, by litigation or otherwise, the Affordable Housing Restrictions and the foregoing requirements.

17.8.7 Housing Marketing and Selection Plan

The housing marketing and selection plan may make provision for payment by the Project applicant of reasonable costs to the administering agency to develop, advertise, and maintain the list of Eligible Households and to monitor and enforce compliance with affordability requirements.

17.8.8 Age Restrictions

The District shall not include the imposition of restrictions on age upon the entire District, but the development of specific Projects within the District may be exclusively for the elderly, persons with disabilities, or for assisted living, provided that any such Project shall be in compliance with all applicable fair housing laws and not less than twenty-five percent (25%) of the housing units in such a restricted Project shall be restricted as Affordable units. Any Project, which includes age-restricted residential units, shall comply with applicable federal, state and local fair housing laws and regulations.

17.8.9 Twenty Percent Requirement

For all Projects where the Affordable Units proposed are Homeownership Units, not less than twenty percent (20%) of the total housing units constructed in a Project shall be Affordable Housing. For all Projects where the Affordable Units proposed are Rental Units not less than twenty five percent (25%) of total housing units in any building containing rental units shall be Affordable Housing; provided, however, that 20% of such units may be affordable where the Affordable Units are restricted to households earning less than 50% of area median income. For purposes of calculating the number of units of Affordable Housing required within a Project, any fractional unit of 0.5 or greater shall be deemed to constitute a whole unit.

17.8.10 Phasing

For housing that is approved and developed in phases, the proportion of Affordable Housing Units (and the proportion of Existing Zoned Units to Bonus Units as described in 760 CMR 59.04 1(h)) shall be consistent across all phases.

17.8.11 Computation

Prior to the granting of any Building Permit for the housing component of a Project, the Applicant must demonstrate, to the satisfaction of the PAA, that the method by which such affordable rents or affordable purchase prices are computed shall be consistent with state or federal guidelines for affordability applicable to the Town of North Andover.

17.8.12 No Waiver

Notwithstanding anything to the contrary herein, the Affordability provisions in this Section 17.8 shall not be waived.

17.9 Dimensional and Density Requirement

Notwithstanding anything to the contrary in this Zoning Bylaw, the dimensional requirements applicable in the OSGOD are as follows:

Dimesional Requirements	40R Overlay Subdistricts		
	Mixed-Use Residential District	Mixed-Use Commercial District	Business Opportunity Zone
Minimum Lot Area	NA	NA	1 Acre - 15 Acres Maximum
Minimum Lot Frontage on a Public Way	N/A	N/A	N/A
Maximum Building Height	55 Feet	55 Feet	55 Feet
Minimum Front Setback ¹	10 Feet Minimum - 25 Feet Maximum	0 Feet Minimum - 15 Feet Maximum	0 Feet Minimum - 10 Feet Maximum
Minimum Rear Yard Setback	15 Feet - 25 Feet Maximum	No required setback	No required setback
Minimum Side Yard Setback	5 Feet if lot line is on a street. 3 feet minimum - 10 feet maximum if adjacent to another lot line.	No required setback	No required setback
Minimum Open Space	20%	15%	15%
Allowable Dwelling Units/Acre ²	20	20	Not Allowed
Minimum Setback between Principal Buildings	0 Feet Minimum - 20 Feet Maximum	0 Feet Minimum - 20 Feet Maximum	0 Feet Minimum - 20 Feet Maximum
Minimum Setback between either (a) Accessory Buildings, or (b) Principal Buildings and Accessory Buildings	0 Feet Minimum - 25 Feet Maximum	0 Feet Minimum - 5 Feet Maximum	0 Feet Minimum - 5 Feet Maximum
Multiple Buildings on One Lot	Allowed	Allowed	Allowed
Floor Area Ratio (FAR)	0.70:1	0.65:1	0.90:1
Lot Coverage	70%	90%	90%

Notes:

1. Refer to Section 17.9.1
2. Allowable Dwelling Units Per Acre shall mean the maximum number of Dwelling Units per acre averaged over the entire Residential Mixed Use Overlay District.

17.9.1 Interpretation of Table

1. A front yard setback of 50 feet for property within the OSGOD shall apply only to front yards abutting Route 125 (Osgood Street). There shall be no front yard setback requirement unless specified in the Sub-district.
2. **Open Space shall be “Useable Open Space” which is defined as the part or parts of land within the OSGOD, which are reserved for permanent open space or passive recreation use.** This space shall exclude parking areas, but include required setbacks and walkways. The Usable Open Space shall be open and unobstructed to the sky. Trees, planting, arbors, flagpoles, sculptures, fountains, outdoor open-air, passive/active recreational facilities, such items as streetscape elements (lights, planters, benches, etc.), outdoor areas devoted to dining, cafe or similar uses, and decorative

surface treatments for sidewalks and other hard surfaces (such as pavers, cobblestones or concrete surface treatments designed to resemble pavers or cobblestones), and similar objects shall not be considered obstructions. No more than 25% of the total amount of required Usable Open Space shall be “wetland” as defined by the requirements of M.G.L. Chapter 131, Section 40, and the Town's Wetland Bylaws.

17.10 Parking Requirements

Notwithstanding anything to the contrary in this Zoning Bylaw, the parking requirements applicable in the OSGOD are as follows:

Residential Uses		
1	Residential Use (Minimum)	1 space per dwelling unit.
2	Residential Use (Maximum)	2 spaces per dwelling unit.
3	All other places with including(but not limited to) rooming houses, hotels, motels, hospitals, nursing homes.	1 space per sleeping room for accommodations single or double occupancy, 1 per 2 for rooms exceeding Double beds for rooms exceeding double occupancy
Recreation Uses		
1	Passive Recreation (i.e. parks, picnic facilities)	5 spaces per acre.
2	Active Recreation (i.e. athletic fields)	1 space per 4 persons based on the design capacity of the facility.
Business or Commercial Uses		
1	Auditoriums, theaters, funeral parlors, day care centers, and other places of assembly	1 space per 4 persons based on the design capacity of the facility.
2	Restaurants - sit down restaurants.	1 per 2 seats or 15 per 1000 GFA. (Whichever greater applies)
3	Retail store and service establishment.	5 spaces per 1,000 square feet (6 space per 1,000 s.f. maximum)
4	Offices	1 space per 300 square feet of GFA.
5	Medical Offices and Research facilities	3 Spaces per 1000 square feet GFA plus one space per employee.
6	Warehousing, wholesaling, distributing	1 space per 500 square feet GFA.
Mixed Use Development Projects		Residential requirement plus non-residential requirement.
Industrial Uses		
1	Manufacturing, assembly, Fabrication, etc	1 space per 2 employees in the minimum working shift or 1 space per 1,000 GFA (Whichever greater applies).

17.10.1 Interpretation of Table.

1. Unless otherwise approved by the PAA, a minimum of 1 and a maximum of 2.0 off- street parking spaces shall be provided for each residential unit, inclusive of parking spaces within garages. The PAA may allow for additional visitor parking spaces beyond the 2.0 maximum spaces per unit if deemed appropriate given the design, layout and density of the proposed residential or other development. The PAA may allow for a decrease in the required parking as provided in Subsections 4.a through 4.f below. Notwithstanding anything to the contrary herein, an Applicant may satisfy the parking requirements herein even though parking may not be located within the same Sub-district as the specific use, provided that suitable arrangements to the satisfaction of the PAA are in place to allow for the use of such parking to satisfy the parking requirement;
2. A parking space shall mean an area of not less than 9' x 18', accessible over unobstructed driveways not less than 24' wide.
3. Notwithstanding anything to the contrary herein, the use of shared parking to fulfill parking

demands noted above that occur at different times of day is strongly encouraged. Minimum parking requirements above may be reduced by the PAA if the applicant can demonstrate that shared spaces will meet parking demands by using accepted methodologies (e.g. the Urban Land Institute Shared Parking Report, ITE Shared Parking Guidelines, or other approved studies);

4. Notwithstanding anything to the contrary herein, any minimum required amount of parking may be reduced upon a demonstration to the reasonable satisfaction of the PAA that the lesser amount of parking will not cause excessive congestion, endanger public safety, or that lesser amount of parking will provide positive environmental or other benefits, taking into consideration:
- a. The availability of surplus off street parking in the vicinity of the use being served and/or the proximity of a bus or an MBTA transit station;
 - b. The availability of public or commercial parking facilities in the vicinity of the use being served;
 - c. Shared use of off street parking spaces serving other uses having peak user demands at different times;
 - d. Age or other occupancy restrictions which are likely to result in a lower level of auto usage;
 - e. Impact of the parking requirement on the physical environment of the affected lot or the adjacent lots including reduction in green space, destruction of significant existing trees and other vegetation, destruction of existing dwelling units, or loss of pedestrian amenities along public ways; and,
 - f. Such other factors as may be considered by the PAA.

17.11 General Design Standards

17.11.1 Intent

In order to ensure high-quality development within the OSGOD and to ensure design that respects the built and natural character of North Andover, the following design standards are established. These standards are intended to be flexible, and applied by the Plan Approval Authority as appropriate to the development as part of the site plan review process to enable the purpose of this District to be realized. While these guidelines apply to all site improvements and buildings and structures, it is not the intent of this section to prescribe or proscribe use of materials or methods of construction regulated by the state building code, but rather to enhance the appearance of the built environment within an OSGOD. In the case of inconsistency between applicable federal and state law, including without limitation state building code or life safety codes and these Design Standards, the applicable federal and state laws, rules and regulations shall govern.

17.11.2 Building and Structure Placement

The placement of buildings and structures in an OSGOD shall:

- 1. Provide for buffering of buildings and structures to adjoining properties either within the proposed OSGOD or to adjacent land uses. Such buffering includes, but is not limited to: landscaping, screening materials, natural barriers, fencing, and related measures;
- 2. Development should acknowledge Route 125 as its front entry. Rooftop equipment shall be appropriately screened to avoid visual impacts to residential uses;

- 3. Buildings adjacent to usable open space should generally be oriented to that space, with access to the building opening onto the open space;
- 4. Provide street trees with tree grates or in planter strips, using appropriate species to provide summer shade, and winter light. Species should be native, resistant to salt and drought, and be tolerant of urban conditions;
- 5. Orient structures to provide pedestrian entrances to the sidewalk;
- 6. Street design standards shall not be limited to defined rights of way but shall also apply to driveways and internal ways which function as streets;
- 7. Trash collection and dumpster locations shall be appropriately located and screened to avoid adverse impacts on neighbors and neighboring properties. Within a development, the containment of all solid waste storage and handling within the building(s) of the development is encouraged; and,
- 8. Any loading docks or areas associated with the mixed-use development component shall be located to minimize (visual and operational) impacts on the site and on neighboring properties.

17.11.3 Open Space

- 1. Create open space parks within the development;
- 2. Mature street trees have a high value to the development; minimize departures from development standards that would impair the health of a mature trees;
- 3. Use landscape materials that are native, sustainable, requiring minimal irrigation or fertilizer; and,
- 4. Encourage alternative and green paving materials to minimize stormwater run-off.

17.11.4 Building Massing/Articulation

The massing of buildings shall:

- 1. **Avoid unbroken building facades longer than fifty feet (50’). Buildings shall not be longer than two hundred ten (210’) feet in length, unless waived by the PAA. In approving building lengths that exceed 210’, the PAA must find that pedestrian circulation is enhanced by the provision of archways, passageways, or other similar throughways;**
- 2. Mixed-use buildings should incorporate the use of dual facades to foster integration of uses where appropriate;
- 3. Provide a variety of building heights and varied roofline articulation; and,
- 4. Buildings on corner lots shall be oriented to the corner and public street fronts. Parking and automobile access shall be located away from the corners, where practical.

17.11.5 Building Appearance and Treatment

To the extent not inconsistent with or pre-empted by the state building code, the following shall be considered as applicable:

1. It is not intended that buildings be totally uniform in appearance or that designers and developers be restricted in their creativity. Rather, cohesion and identity can be demonstrated by:
 - a. Similar building scale or mass;
 - b. Consistent use of facade materials;
 - c. Similar ground level detailing, color or signage;
2. Preferred exterior building siding materials include brick, stone, wood, cement and composite materials and other types of exterior siding materials upon a determination by the PAA that the quality of such siding will not detract from the aesthetics of the proposed buildings.
3. **New Buildings.** The design of new buildings shall incorporate architectural features, such as:
 - a. Transom or clerestory windows above entrances, display windows and projected bay windows are encouraged within commercial, retail, and industrial developments.
 - b. Multiple paned windows that divide large areas of glass into smaller parts shall be used.
 - c. Incorporate building entry treatments that are arched or framed and protects people from the elements.
 - d. Non-reflective storefront windows and transoms; architectural detailing on the first floor; and detailing at the roofline.
4. **Ground Floor.** Transparent, open facades for commercial uses at street level;
5. **Middle Floors.** Architectural features may include change in materials and color and/ or texture that enhance specific elements of the building; and,
6. **Top Floors.** Clearly distinguish tops of buildings from the façade walls by including detail elements such as steep gables with overhangs, parapets and cornices.

17.11.6 Development Environment

Pedestrian Open Spaces and Entrances.

1. Entries for residential uses on the street (rather than from the rear of the property);
2. Overhead weather protection shall be designed to minimize gaps in coverage, except to accommodate street trees;
3. Sidewalks shall be surfaced with concrete, brick, or stone materials unless waived by the SPGA; minimum width shall be five feet unless waived by the SPGA; and,
4. Benches for seating shall be provided near retail entrances and at bus stops. At bus stops, such benches shall offer protection from the weather.

17.11.7 Landscaping

The landscape design shall strive to provide greenery so that streets and access drives are lined with shade trees, large paved areas are visually divided and screened and buffers are provided within and around the development. Said landscape design shall be prepared and stamped by a registered landscape architect. Landscaping criteria are as follows:

1. Native trees and shrubs shall be planted wherever possible such as lilac, viburnum, day lilies, ferns, red twig, dogwood, oak, maple, sycamore, linden, hawthorne, birch, shadbush, etc.).
2. Provide hedges or continuous shrubs to screen parking areas from streets, where practical;
3. All buildings shall have foundation landscaping, where practical;
4. All islands and landscape areas shall be of a minimum width and size to support healthy plant growth. The minimum width for plant beds shall be five (5) feet and an eight (8) foot width for trees;
5. All open areas, exclusive of areas to remain in an existing natural state shall be landscaped, utilizing both natural and man-made materials such as indigenous grasses, trees, shrubs, and attractive paving materials and outdoor furniture;
6. Deciduous trees shall be placed along new and existing streets and ways. Street Trees shall be **located every thirty feet (30') on center along both sides of the roadway within the District.** The species of street trees selected shall be a minimum of four different species from the list of recommended street trees below:
 - a. Plantanus acerifolia (London Planetree);
 - b. Fraxinus pennsylvanica (Green Ash);
 - c. Ginkgo biloba (Ginkgo);
 - d. Gleditsia triacanthos inermis (Honeylocust);
 - e. Maple;
 - f. Oak;
 - g. Tilia cordata (Little leaf Linden);
 - h. Pyrus calleryana (Chanticleer Callery Pear); and
 - i. Zelkova serrata (Japanese Zelkova)

The existing roadways, Route 125 and the existing property driveway, shall have larger trees that typically grow to heights greater than fifty feet. The species of street trees selected shall be a minimum of four different species from the list of recommended street trees below:

- a. Picea pungens (Colorado Blue Spruce);
- b. Picea abies (Norway Spruce);
- c. Fagus grandifolia (American Beech);
- d. Fraxinus Americana (White Ash);
- e. Betula alleghaniensis (Yellow Birch);
- f. Acer saccharum (Sugar Maple);
- g. Acer rubrum (Red Maple);
- h. Quercus rubra (Northern Red Oak);
- i. Quercus coccinea (Scarlet Oak);

- j. Platanus acerifolia (London Planetree); and
- k. Betula papyrifera (Paper Birch)

7. Outdoor lighting shall be considered in the landscaping plan and requires the submission of a photometric lighting plan. Cutoff shields shall be used to minimize glare and light spillover onto abutting property. Ornamental streetlights, sixteen feet (16') maximum height on minor roads and twenty-four feet (24') maximum height on major roads;
8. Preservation of existing vegetation or tree-lined areas shall be maintained; and,
9. Landscaped, required open space and green areas, in addition to serving as visual amenities, shall be employed to reduce the rate and volume of stormwater runoff compared to pre-development conditions; for that reason, Department of Environmental (DEP) Stormwater Best Management Practices and other measures to minimize runoff and improve water quality shall be implemented. It is also generally intended that said space be designed and located to connect with existing off-site usable open space, and provide potential for connection with future open space by extending to the perimeter of the development particularly when a plan exists for the location and networking of such future open space.

17.11.8 Lighting

1. All artificial lighting used to illuminate residential, commercial, and industrial parking lot, loading bay or driveway shall have underground wiring and shall be so arranged that all direct rays from such lighting falls entirely within the parking, loading or driveway area, and shall be shielded or recessed so as not to shine upon abutting properties;
2. Lighting in display windows to illuminates the sidewalk is recommended;
3. Architectural lighting to complement the architecture of the structure including transparent windows allowing views into and out of the structure;
4. Fixtures that produce glare or that spill light to adjoining sites are prohibited; and,
5. Installation of pedestrian light fixtures as part of a development's sidewalk improvements is strongly encouraged.

17.11.9 Parking Lot Landscaping

Parking areas and lots shall use landscaping and terracing to break up large areas of pavement. The following minimum screening and landscaping requirements shall apply for all lots with more than 6 parking spaces:

1. A strip of land at least six (6) feet wide (may be part of required yard setbacks) with trees or shrubs densely planted, to create at least an impervious screen, at least four (4) feet high at the time of planting and which are of a type that may be commonly expected to form a year round impervious screen at least five (5) feet high within three years;

2. If a natural screen as described in item 1 above cannot be attained, a wall or fence of uniform appearance at least five (5) feet high above finished grade will be allowed. Such a wall and/or fence may be perforated, provided that not more than 25% of the face is open; and
3. All required screening, as described in items 1 and 2 above, shall be maintained in good condition at all times. Such screening may be interrupted by entrances or exits, and shall have no signs attached thereto other than those permitted in the district;

For all off-street parking areas of 18 or more spaces the following criteria shall also apply.

4. On at least three sides of the perimeter of an outdoor parking lot, there shall be planted at least one tree for every thirty (30) linear feet. In the interior part of an outdoor parking lot where two rows of parking spaces containing a total of 9 or more parking spaces face each other, a landscaped open space not less than 6 feet in width shall be provided. The landscaped strip may be provided either (1) between the rows of parking spaces parallel to the aisle, or (2) in two or more strips parallel to the spaces and extending from the aisle serving one row of spaces to the aisle serving the other row of spaces; and,
5. Trees required by this section shall be at least 2.5 inches in diameter at a height four feet above the ground at time of planting and shall be of a species characterized by suitability and hardiness for location in parking lot. To the extent practicable, existing trees shall be retained and used to satisfy this section. Native trees and shrubs shall be planted wherever possible including species such as lilac, viburnum, day lilies, ferns, red twig, dogwood, oak, maple, sycamore, linden, hawthorne, birch, shadbush, etc.

17.11.10 Pedestrian Amenities and Recreation

Development shall include the following components:

1. Provide long-term, covered, bicycle parking areas;
2. Provide well-lit, transit shelters where necessary;
3. Pedestrian-oriented features such as walkways, pergolas, outdoor sitting plazas, landscaped open space, drop-off areas, and recreational facilities shall be emphasized, and bike racks shall be provided in appropriate locations throughout the site; and,
4. Tree-lined or otherwise appropriately landscaped pedestrian paths and walkways shall link together areas designated as open space within the site, and wherever possible, to adjoining public areas.

17.11.11 Utilities – Basic Requirements

1. Installation: All utility lines, and/or other subsurface facilities within the street rights-of-way shall be installed prior to the placement of the roadway sub-base materials. All electrical and communications lines shall be installed underground. Communications lines shall include, but not be limited to, telephone, Internet and cable;

2. Identification: The applicant shall provide and install utility identification tape for all underground utility installations. The tape shall be placed in the trench a minimum of twelve inches (12") above the pipe, conduit or cable and not less than twelve inches (12") below the finished grade;

Identification tape for utilities shall be traceable, durable, and either non-biodegradable plastic or metallic, and shall be approximately six inches (6") wide by four thousandths (.004) inches, or four mil, in thickness;

The following colors shall be used unless otherwise specified in the state building codes:

- a. Orange - Gas
 - b. Yellow - Electric
 - c. Green - Communications (telephone, cable, fire alarm)
 - d. Blue - Water
 - e. Red - Sanitary Sewer
3. Easements: Wherever necessary, the Board shall require perpetual, unobstructed easements for sewers, storm drains, power lines, water mains and other utilities. Such easements shall be a minimum width of twenty feet (20'), centered on the utility, and shall be indicated on the site plan approved pursuant to the Plan Approval decision by metes and bounds. The width of an easement may be changed if determined to be acceptable by the PAA or Department of Public Works:
- a. Easements for water, sewer, electric, telephone lines and drainage piping or channels shall be provided at locations determined by the Board and the Department of Public Works for the provision or extension of utilities within the development or to adjacent properties;
 - b. Where the development is traversed by any open watercourse, drainage way, channel or stream, an easement shall be provided which substantially conforms to the lines of such features for the purpose of protection against encroachment or alteration;
 - c. Where such easement or any part thereof crosses or appears on any developed lot in the development, the deed for said lot shall provide a restriction that shall run with the lot, which prohibits any encroachment or alteration within such easement;
 - d. Utility easements into or crossing any open space or protected area shall be prohibited unless approved by the Board upon the recommendation of the Department of Public Works;
 - e. Where easements have been approved entering into or crossing open spaces or protected areas they shall be restored to reflect as nearly as possible the conditions existing prior to the easement. Vegetative visual buffering required by the Planning Board in such easements shall be the responsibility of the developer and shall be reflected in the development performance guarantee;
 - f. Easements for access to parks and conservation lands abutting a proposed development may be required by the Board. These easements shall be at a width determined by the Board to be sufficient for their purpose but will not normally exceed **twenty (20') feet in width**;
 - g. The developer may be required to obtain off-site **drainage easements when, in the Board's** opinion, the development will cause an increase or change in the surface water volumes or

velocities, either through open channels or through culverts into or onto any abutting properties; and,

- h. Where the easement is accessible from the street, the side slope shall be no greater than four feet (4') horizontal to one foot (1') vertical. The first twenty feet (20') of the easement from the back of sidewalk, or edge of roadway, shall have a twelve inch (12") deep base of gravel sub-base material beneath the topsoil to support maintenance equipment.

17.11.12 Signage Associated With The Residential Use Component

The residential component shall be limited to three types of sign: name of site, orientation and direction, and to identify common building spaces. At each principal entrance to the site, only one sign identifying the name and address of the development shall be permitted. The sign shall be limited to identifying the name and address of the development. Signs shall be made of natural materials, or have a natural appearance, and may not be interiorly illuminated. The PAA shall require the applicant to submit a signage master plan showing the overall design, location, size and material for all proposed signs within the development.

The following signs are prohibited in the OSGOD: roof signs, interior illuminated and ground signs (except those associated with the development entrance).

17.11.13 Signage Associated With the Non-Residential and Mixed-Use Component

The PAA shall approve signage within the non-residential and mixed-use components of the district(s) as part of the site plan review process. One sign will be permitted at the principal entrance(s) to the non-residential portion of the property. The sign shall be limited to identifying the name and address of the development.

1. One sign per non-residential use is permitted. The attached or hanging sign shall not exceed, in total area, more than ten percent (10%) of the dimensional elevation of the commercial building as determined by the building frontage multiplied by the floor to ceiling height of the individual business or as specified in applicable sections of the by-law;
2. For premises having multiple occupants, a single sign, identifying those occupants is permitted. The total area of attached signs including this one shall not exceed ten percent (10%) of wall area;
3. Temporary unlighted signs inside windows, occupying not more than twenty percent (20%) of the area of the window requires no sign permit;
4. No sign shall project more than three (3) feet over any public right-of-way. The sign shall be covered by appropriate liability insurance as determined by the Building Inspector and verified by a certificate of insurance filed with the Town Clerk;
5. Building directories shall be located inside of the building;
6. Traffic Control orientation and guidance signs located on private property, up to four (4) square feet in area, displayed for purposes of direction or convenience, including signs identifying parking, fire lanes, rest rooms, freight entrances and the like;

7. Design Standards for Signs:
 - a. These standards are not mandatory.
 - b. Sign content normally should not occupy more than forty percent (40%) of the sign background, whether a signboard or a building element.
8. Environmental Relationship
 - a. Overhanging signs should be used only in such circumstances as on side streets where overhanging positioning is necessary for visibility from a major street;
 - b. Sign brightness should not be excessive in relation to background lighting levels, e.g., averaging not in excess of one hundred foot-lamberts and not in excess of twenty foot-lamberts in unlighted outlying areas.
9. Building Relationship:
 - a. Signs should be sized and located so as to not interrupt, obscure or hide the continuity of columns, cornices, roof eaves, sill lines or other elements of building structure Clutter should be avoided by not using support brackets extending above the sign or guy wires and turnbuckles.
10. Sign Master Plans. Notwithstanding anything to the contrary to the language contained in Section 17.11.12 and 17.11.13, an Applicant may, in lieu of seeking compliance with the sign provisions described, propose a Master Plan for signs to be permitted on the premises by the PAA. Such sign master plan shall include a listing of each sign type, square footage, location, height, color, materials, and such other information as may be requested by the PAA to confirm that the Master Plan, once implemented, shall consist of a single coordinated and clear plan for signage within said premises which generally conform to the Guidelines described in Sections 17.11.12 and 17.11.13, as applicable.

17.11.14 Roadways

Private roadways shall be allowed in OSGOD.

1. While roadway surface widths may be narrower than widths associated with a traditional subdivision, the durability of private roadway surfaces and sub surfaces within an OSGOD and should be designed based on standard engineering principals. Waivers of the following standards may be granted when appropriate. The following criteria apply:

Roadway Criterion	Minimum	Maximum
Min. ROW Width	50 feet	60 feet
Min. Pavement Width	18 feet	26 feet
Min. Centerline Curve Radius	225 feet	250 feet
Min. Tangent length between reverse curves	150 feet	150 feet
Min. Intersection Corner Curb Radius	40 feet	40 feet
Min. Horizontal and Vertical Site distance	200 feet	250 feet
Centerline Profile Grade – Max.	8%	7%
Centerline Profile Grade – Min.	1%	1%

Vertical Curve – Min. Length	100 feet	100 feet
Vertical Curve: K Value – Crest	30	30
Vertical Curve: K Value – Sag 40	40	40
Pavement Cross Slope – Normal Crown	3%	3%
Maximum Super elevation	6%	6%

2. The PAA shall encourage narrow pavement widths for traveled ways when appropriate. Pavement widths for traveled ways (excluding on-street parking spaces) shall not be less than eighteen feet (18) or more than twenty six (26) feet for two-way traffic, or less than fourteen (14) feet for one-way traffic. The PAA will have discretion to waive these standards when considering public safety and circulation issues, but under no circumstance shall vehicular ways be less than 14 feet wide;
3. Parking and vehicle access:
 - a. Provide for continuous sidewalks that are minimally broken within a block by vehicular access.
 - b. Unstructured surface parking areas facing the main street frontages are discouraged.
 - c. Parking areas shall be setback from structures, property lines and internal ways by a minimum of 10 feet.
 - d. Multi-purpose parking areas paved with unit pavers are encouraged (i.e., areas that serve both parking and public open space needs).
4. All two-way traveled ways shall provide a pedestrian sidewalk of a minimum six-foot (6') width on both sides of the roadway. All sidewalks shall be of standard concrete or brick set in concrete and are encouraged where applicable. Minor ways may provide a pedestrian sidewalk on a minimum of one side of the roadway. On cul-de-sac turnarounds and at intersections, vertical granite curbing shall be required. Vertical granite curb inlets with curb transition sections shall be required at the back of catch basins, on grades over six (6) percent, and at the intersections with arterial streets;
5. Crosswalks with handicap accessible curb cuts shall be provided at all intersections. All crosswalks and curb cuts shall comply with the requirements of the Massachusetts Architectural Access Board (MAAB) and/or Americans with Disabilities Act (ADA) requirements; and,
6. Streetscape elements shall be encouraged, including:
 - a. Sidewalks and crosswalks as noted above;
 - b. **Ornamental street lights, sixteen feet (16') maximum height on minor roads, twenty-four feet (24') maximum height on major roads;**
 - c. Brick, concrete or other specialty pavements at building entrances;
 - d. **Ornamental fences of less than thirty inches (30") in height, when appropriate;**
 - e. Ornamental bollards to direct pedestrian traffic and define public space.

17.11.15 Storm Drainage

Storm water drainage systems shall be subject to the most recent Massachusetts laws, regulations, policies and guidelines including but not limited to the DEP Stormwater Management Policy, as amended, as well as local bylaws.

The design, construction and maintenance of stormwater systems shall be consistent with the following:

1. Detention / Retention Basin Side Slopes. Basin area side slopes shall be kept as close as possible to natural land contours, i.e. ten percent (10%) or less wherever possible. A maximum 3:1 side slope shall be constructed for the interior of the basin areas. For security purposes fencing may be required by the PAA. Drainage basins shall be designed to facilitate access for maintenance vehicles and personnel;
2. Drainage Easements. If it is necessary to carry drainage across lots within the development, storm drainage easements shall be provided, of such width and construction as will be adequate to accommodate the volume and velocity of the run-off. However, no such easement shall be less than thirty feet (30') in width;

If a proposed drainage system would carry water across land outside the development boundaries to an approved outfall, appropriate drainage rights shall be secured by the applicant at the **applicant's** expense, and shall be referenced on the 40R Plan;

3. Discharging runoff directly into rivers, streams, watercourses, or enlarging the volume, rate or further degrading the quality of existing discharges/runoff is prohibited. Runoff shall be routed through vegetated swales, using native species and other structural and nonstructural systems designed to increase time of concentration, decrease velocity, increase infiltration, allow suspended solids to settle and remove pollutants. Such systems will utilize overland flow and re-infiltration as priority techniques for the treatment of run-off;
4. Retention and detention ponds, and methods of overland flow may be used to retain, detain and treat the increased and accelerated runoff which the development generates;
5. There shall be a minimum of two (2') feet of naturally occurring soils between the detention basin bottom and the maximum annual ground water table;
6. Water shall be released from detention ponds at a rate and in a manner approximating the natural conditions which would have occurred before development;
7. Intermittent water courses such as swales shall be vegetated;
8. The first one (1") inch of runoff from impervious surfaces, such as rooftops and paved surfaces, shall be treated in the site of the development;
9. Runoff from parking lots and streets shall be treated to remove oil and sediments. Catch basins shall be provided with hoods; in the alternative, drainage outfalls shall discharge to low velocity "vegetated treatment" swales;
10. The use of drainage facilities and vegetated buffer zones as open space and conservation areas shall be encouraged; and,

11. Neighboring properties shall not be affected by flooding from excessive runoff.

17.11.16 Water Facilities

1. Installation. The applicant shall be responsible for installing water facilities, including, but not limited to water supply, pipes, hydrants, hydrant markers, gates, valves, and all other related appurtenances, in accordance with the Regulations and Master Plan of the Water Department. Any extension of an existing pipe and construction of new pipes requires approval from the Water Department. Building service pipes and appurtenances from the system piping to the exterior line of the street right-of-way shall be constructed for each lot unless the Board of Health has approved individual wells. Said water facilities shall be shown on the 40R plan;
2. Fire Hydrants. Fire hydrants shall be required throughout the entire development. Fire hydrants, with hydrant markers, shall be located not more than five hundred feet (500') apart; shall be approved, in writing, as to location by the Fire Chief and the DPW; and shall be shown on the 40R Plan;
3. Extensions. Reasonable provisions shall be made for extension of the water system and pipes to adjoining property, including installation of water gates. Appropriate easements may be required;

17.11.17 Sewer

1. Installation. In the event that the Town sanitary sewer system is located within an existing public way within four hundred feet (400') measured along the existing public way or proposed roadway of the development, the applicant shall be responsible for connecting all lots to the sewerage system unless there are legal, design or operational considerations, in which case, alternative arrangements for sewage disposal such as through the existing on-site sewage treatment plant or other methods permitted by law may be utilized. If applicable, connection to the system shall require an approval from the DPW, and any other required approvals, including, but not limited to approvals issued by the Greater Lawrence Sanitary District, and a permit for extension/connection of the **sewer system issued by the Massachusetts Department of Environmental Protection's** Division of Water Pollution Control.

17.11.18 Electric and Communication Lines

1. Installation. All electrical and communications lines shall be installed underground. Communications lines shall include, but not be limited to, telephone and community antenna television cable;
2. Electric Lines. The electrical power distribution shall be installed in accordance with the specifications of the Rules and Regulations of the Department of Public Works of the Town of North Andover in effect at the time of application.

17.11.19 Street Signs

Street signs shall be installed at all intersections in conformity with the specifications of the Department of Public Works. The signposts at the intersection of each street with any other street, shall have affixed thereto a sign designating such street as a private way.

17.11.20 Monuments

Monuments shall be four feet long, 6 inch square concrete or granite, and shall be installed at all roadway intersections, at all points of change in direction or at curvature of roadways, at two (2) property corners of all new lots and at any other points where, in the opinion of the Board, permanent monuments are necessary.

- 1. Monument Spacing. Monuments located in the street right-of-way shall be spaced so as to be within sight of each other, the sight lines being contained wholly within the street right-of-way limits. The maximum interval shall be one thousand feet (1000');
- 2. Monument Materials. Monuments shall be standard granite markers of not less than four feet (4') in length and not less than five inches (5") square, and shall have a drill hole in the center. If subsoil conditions prohibit installation of four (4') foot monuments, with advance approval by the Board, monuments meeting alternative specifications shall be installed. Monuments shall be set flush with the finished grade; and
- 3. Monument Certification. No permanent monuments shall be installed until all construction, which would destroy or disturb the monuments is completed. Placement and location of bounds are to be certified by a registered professional land surveyor after installation of the street, and shall be shown on the "as-built" or record plans.

17.11.21 Subzone Design Standards

1. Residential Mixed-Use Zone

Location: As shown on the OSGOD Map.

- a. Building Type: The dwelling units in Residential Mixed-Use Zone may be situated in a single structure or in multiple structures.
- b. Nonresidential Uses: If a building containing residential uses also includes permitted retail, restaurant, and professional services or other uses in the Residential Mixed-Use Zone, the nonresidential uses shall be centrally located on the ground floor of the building in which it is contained. Notwithstanding the foregoing, non-residential uses are preferred, but not required, to be located in buildings containing residential uses, and non-residential uses may be located in buildings which are separate from buildings containing residential uses as long as the non-residential use and building are designed to complement the primary residential use.

2. Mixed-Use Development Zone

Location: As shown on the OSGOD Map.

- a. Building Type: For buildings which include a mix of residential and non-residential uses, the dwelling units in such buildings shall be situated over the allowed nonresidential space. Buildings may also be constructed which contain either solely residential uses or solely non-residential uses.

- b. Nonresidential Uses: Non-residential uses are not required to be located in buildings containing residential uses, and non-residential uses may be located in buildings which include no residential uses.

3. Business Opportunity Development Subzone

- a. Permitted uses in the Business Opportunity Development Subzone shall not exceed 150,000 square feet per development unless waived by the PAA.

17.12 Application for Plan Approval

17.12.1 Pre-application

Prior to the **submittal of a site plan, a “Concept Plan” may be submitted to help guide the development of the definitive site plan** for site buildout and individual elements thereof. Such Concept Plan should reflect the following:

- 1. Overall building envelope areas;
- 2. Approximate building massing, showing heights;
- 3. Open space and natural resource areas; and,
- 4. General site improvements, groupings of buildings, and proposed land uses.

The Concept Plan is intended to be used as a tool for both the applicant and the PAA to ensure that the proposed development design will be consistent with the design standards and other requirements of the OSGOD.

17.12.2 Application Submission.

An application for Plan Approval shall be submitted to the PAA on the form provided by the PAA, along with application fees which shall be as set forth in the Regulations.

17.12.3 Required Submittals

The application for Plan Approval shall be accompanied by such plans and documents as may be required **and set forth in the PAA’s Regulations**. All site plans shall be prepared by a certified architect, landscape architect, and/or a civil engineer registered in the Commonwealth of Massachusetts. All landscape plans shall be prepared by a certified landscape architect registered in the Commonwealth of Massachusetts. All building elevations shall be prepared by a certified architect registered in the Commonwealth of Massachusetts. All plans shall be signed and stamped, and drawings prepared at a scale of one inch equals forty feet (1"=40') or larger, or at a scale as approved in advance by the PAA.

17.13 Procedures

17.13.1 Filing

An applicant for Plan Approval shall file the required number of copies of the application form and the other required submittals as set forth in the Regulations with the Town Clerk, and a copy of the application including the date of filing certified by the Town Clerk shall be filed forthwith with the PAA. An Applicant is encouraged to review the final application with the PAA or its Agent to confirm application completeness prior to filing the final application with the Town Clerk and PAA.

17.13.2 Circulation to Other Boards

Upon receipt of the Application, the PAA shall immediately provide a copy of the application materials to the Board of Selectmen, Board of Appeals, Board of Health, Conservation Commission, Fire Department, Police Department, Building Commissioner, Department of Public Works, and other municipal officers, agencies or boards for comment, and any such board, agency or officer shall provide any written comments within 60 days of its receipt of a copy of the plan and application for approval.

17.13.3 Hearing

The PAA shall hold a public hearing for which notice has been given as provided in Section 11 of G.L. Chapter 40A. The decision of the PAA shall be made, and a written notice of the decision filed with the Town Clerk, within 120 days of the receipt of the application by the Town Clerk. The required time limits for such action may be extended by written agreement between the applicant and the PAA, with a copy of such agreement being filed in the office of the Town Clerk. Failure of the PAA to take action within said 120 days or extended time, if applicable, shall be deemed to be an approval of the application and site plan.

17.13.4 Peer Review

The applicant shall be required to pay for reasonable consulting fees to provide peer review of the Plan Approval application, pursuant to G.L. c. 40R. Such fees shall be held by the Town in a separate account and used only for expenses associated with the review of the application by outside consultants, including, but not limited to, attorneys, town counsel, engineers, urban designers, housing consultants, planners, and others. Any surplus remaining after the completion of such review, including any interest accrued shall be returned to the applicant.

17.14 Decision

17.14.1 Waivers

Upon the request of the Applicant, but subject to Section 17.8.12 as to Affordability, the Plan Approval Authority may waive dimensional and any other requirements of Section 17.0, including but not limited to, the design standards of Section 17.10, in the interests of design flexibility and overall development quality, and upon a finding of consistency of such variation with the overall purpose and objectives of the OSGOD, or if it finds that such waiver will allow the development to achieve the density, Affordability, mix of uses, and/or physical character allowable under this Section 17.0.

17.14.2 Plan Review

An Application for Plan Approval shall be reviewed for consistency with the purpose and intent of this

Section, and such Plan Review and shall be construed as an as-of-right review and approval process as required by and in accordance with the Enabling Laws.

17.14.3 Plan Approval

Plan Approval shall be granted where the PAA finds that:

1. The applicant has submitted the required fees and information as set forth in the Regulations;
2. The development and site plan meet the requirements and standards set forth this Section 17.0, or a waiver has been granted there from; and,
3. Any extraordinary adverse potential impacts of the development on nearby properties have been adequately mitigated.

17.14.4 Plan Disapproval

A site plan may be disapproved only where the PAA finds that:

1. The applicant has not submitted the required fees and information as set forth in the Regulations; or
2. The development and site plan do not meet the requirements and standards set forth this Section 17.0, or a waiver has been granted there from; or
3. It is not possible to adequately mitigate significant adverse potential impacts on nearby properties by means of suitable conditions.

17.14.5 Form of Decision

The PAA shall issue to the applicant a copy of its decision containing the name and address of the owner, identifying the land affected, and the plans that were the subject of the decision, and certifying that a copy of the decision has been filed with the Town Clerk and that all plans referred to in the decision are on file with the PAA. If twenty (20) days have elapsed after the decision has been filed in the office of the Town Clerk without an appeal having been filed or if such appeal, having been filed, is dismissed or denied, the Town Clerk shall so certify on a copy of the decision. If a plan is approved by reason of the failure of the PAA to timely act, the Town Clerk shall make such certification on a copy of the application or notice. A copy of the decision or application bearing such certification shall be recorded in the registry of deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or recorded and noted on the owner's certificate of title. The fee for recording or registering shall be paid by the applicant.

17.15 Change in Plans after Approval by PAA

17.15.1 Minor Change

After Plan Approval, an applicant may be apply to make minor changes involving minor utility or

building orientation adjustments, or minor adjustments to parking or other site details that do not affect the overall buildout or building envelope of the site, or provision of open space, number of housing units, or housing need or affordability features. Such minor changes must be submitted to the PAA on redlined prints of the approved plan, reflecting the proposed change, and on application forms provided by the PAA. The PAA may authorize such changes at any regularly scheduled meeting, without need upholding a public hearing. The PAA shall set forth any decision to approve or deny such minor change by motion and written decision, and provide a copy to the applicant for filing with the Town Clerk.

17.15.2 Major Change

Those changes deemed by the PAA to constitute a major change because of the nature of the change in relation to the prior approved plan, or because such change cannot be appropriately characterized as a minor change as described above, shall be processed by the PAA as a new application for Plan Approval pursuant to this Section 17.0.

17.16 Severability and Authority.

This Section 17.0 is promulgated pursuant to the authority of G.L. c. 40R and G.L. c. 40A, as applicable. If any provision of this Section 17 is found to be invalid by a court of competent jurisdiction, the remainder of Section 17 shall not be affected but shall remain in full force and effect. The invalidity of any provisions of this Section 17 shall not affect the validity of the remainder of this Section.

we do.

do you?

